00036941

00036941

Digitized with financial assistance from

H T Parekh FOUNDATION

An Initiative by HDFC

WITH YOU, RIGHT THROUGH

on 27 November, 2018

W.a.6.

# THE HISTORY
## of the
# HELVETIC CONFEDERACY,
## in Two Volumes

VOL: I.

1678

36941
ac

VV a6

See p. 154

LONDON

Printed for John Stockdale, Piccadilly,
by W. Bulmer & Co. Russel Court, Cleveland Row, St. James's.

MDCCC

36941

TO THE

# KING.

SIR,

THE gracious permission to inscribe the following pages to Your MAJESTY, is an honour which I am bound to acknowledge with the greatest respect and gratitude.

They contain the HISTORY of a CONFEDERACY, which, through many arduous struggles, long maintained its independence, and for several centuries preserved, to an artless people, a degree of civil liberty, which effectually insured their national honour and prosperity. While every friend

to virtue and humanity must lament that so happy a polity should at length have yielded to the overwhelming power of a remorseless foe, aided by the folly and corruption of a comparatively small number of its own degenerate members; its example cannot but afford useful lessons of caution to future generations, and must teach them the necessity of energy and concord towards the support of a well regulated government. The utility which, even at this period, may result from a due contemplation of the events here commemorated, has induced me to relate them: and I feel the most lively satisfaction in being suffered to lay this narrative at the feet of a MONARCH, who, ruling over a free people, has exhibited the brightest example of firmness and vigour, in resisting the torrent of vice and anarchy, which has of late threatened the subversion of civilized society.

That Your MAJESTY may long live to pursue Your wise and benevolent purpose of maintaining

the safety and happiness of these kingdoms; and that Your subjects may be ever sensible of their obligations for the protection and comforts they enjoy under Your government, is the sincere and ardent wish of

SIR,

Your MAJESTY's

Most dutiful Subject,

And devoted humble Servant,

J. PLANTA.

# PREFACE.

THE late calamitous events, which have deprived the HELVETIC NATIONS of their independence, and excited the commiseration of all Europe, have, more forcibly than ever, pointed out the want of an history, from which the generality of English readers might derive an adequate knowledge of the distinguishing features in the character of that people, and of the many laudable exertions to which they have for centuries owed their freedom, and an unsullied reputation for dauntless intrepidity and unaffected virtue. Had such a work been extant in any language that is generally read in this country, the present Volumes would not have been obtruded upon the Public.

STANYAN'S *Account of Swisserland*,[1] besides being rather a political and topographical description, than a history of the country, was not, even at the time when it first made its appearance, deemed altogether accurate, especially where it treated of the government of Berne, to which the author, joining in the cry of the peevish and disaffected, ascribed a tyrannical tendency

[1] Published in the year 1714, in 8vo

which the long period of prosperity enjoyed by the bulk of the people has manifestly disproved. Various changes, which took place soon after his residence in that country, have moreover contributed to render his work of still less utility to the reader who seeks for authentic information.[2]

The history of the Helvetic Confederacy by WATTEVILLE,[3] is certainly a work of considerable merit; and notwithstanding its brevity, and the dry chronological order in which it is written, has long afforded to foreign readers the best information they could obtain concerning the events which characterize the people of the Alps. But, besides the imperfections already adverted to, the previous knowledge it requires of the transactions which the author rather alludes to than describes, and the want of a continuation from the year 1603, where he abruptly breaks off, still renders a more ample work on the subject a material desideratum, even to those who read every language, except the German.

Of the voluminous history of ALT DE TIEFENTHAL,[4] and the Epitome of PLANTIN,[5] little need be said, but that most of those who have attempted to peruse them, have found it impracticable

[2] V. Haller's *Bibl. der Schweizer Gesch.* vol. i. p. 144.

[3] *Histoire de la Confédération Helvetique.* The third and last edition is of the year 1768, two volumes, 8vo.: both volumes together form no more than five hundred and three pages.

[4] *Histoire des Helvetiens.* Friburg, 1750—1753; ten volumes, 8vo.

[5] *Abregé de l'Histoire Générale de Suisse.* Geneva, 1666, 8vo.

to proceed beyond a few pages: and of SIMLER's less exceptionable work, even Fuesslin's Latin edition[6] will give but little satisfaction to the readers of our days, the historical part being properly an abridgment sufficiently accurate, but embracing a very short period, and by no means calculated to gratify even a common share of curiosity.[7]

This manifest want of a popular, and at the same time a sufficiently copious and accurate work on so interesting a subject, first induced me to avail myself of the opportunities I had of procuring from the continent the best German publications relating to that country: it being in fact to the German writers that recourse must be had for the materials requisite to supply this deficiency in English literature. Having collected such documents as I was well assured had received the sanction of the most competent judges, and given them a cursory perusal, I soon conceived the admiration, which cannot be withheld from the many striking incidents that grace the annals of that people. I therefore readily yielded to the temptation of dedicating my leisure hours to a compilation of this nature: and I shall think myself amply rewarded for my labour, should it be found to answer the purpose for which it is intended.

[6] *De Republica Helvetiorum, libri duo.* Tiguri, 1734, 8vo. A German improved edition, published by Leu, Zurich, 1735, 4to. is a truly valuable work, which Haller considers as the *jus publicum Helvetiæ*, and of which, proper use has accordingly been made in the present narrative.

[7] V. Haller's Bibl. vol. iv. p. 262, 231, 205.

I should however, I must confess, hardly have ventured on the undertaking, had I not been in possession of MULLER's masterly performance on the history of the Helvetic Confederacy;[8] a work of which, as it had previously received the greatest commendation from the most able as well as severe critics, I once had thoughts of giving a complete translation. In this task however, I had not proceeded far before I perceived that the author had, in fact, written chiefly for his countrymen; and that many details, abundantly interesting to the descendants of the illustrious personages who grace their history, would not be equally relished by readers of distant countries. Foreigners cannot certainly be impressed with the same affections as the natives; nor can they have their imaginations warmed to the same pitch of enthusiasm, which grasps at every incident that may gratify national pride, and the emulation of private families. Adopting that work therefore as an unerring guide, I resolved to pursue a course more suitable to the object for which I destined my labours; and to select from it all the leading facts, and most striking observations, which may serve to convey a just and adequate idea of the character and outlines of the history; guarding at the same time against too great a prolixity and minuteness, which, by deterring the fastidious reader, might defeat the purpose of the publication.

[8] *Die Geschichte Schweizerischer Eidgenossenschafft.* Leipz, 1786, 88, and 95; three volumes, 8vo.

The author of this valuable history is a native of Shaffhausen, where, in the year 1772, being then only twenty years of age, he was appointed Greek professor. Conscious of powers however, which fitted him for higher exertions, he accepted various civil as well as literary employments at Cassel and Mentz, and is at present entrusted with one of the principal offices in the department of foreign affairs at Vienna. Such is the confidence that has been placed in his abilities and integrity, that he (a protestant) was once deputed to accommodate a difference between the Pope and the Elector of Mentz. With a fund of general historical knowledge, of which few men can boast, he has carefully perused every document, both printed and in manuscript, relating to the transactions of his country; and explored every repository of title deeds, in which he could expect to find any materials tending to elucidate those transactions. He has repeatedly visited every spot illustrated by any memorable event, and the many monuments which till lately recorded the glory of the nation. He is in possession of the honourable appellation of the Helvetic Tacitus; and like that sublime historian, is charged with a brevity in his stile, which sometimes borders upon obscurity: his thoughts often seem to bound beyond the sphere of language. These particulars are here brought forward, less to extend the fame of so eminent a writer (which is too well established to need my eulogium) than to

justify the confidence I have placed in him for the work I have attempted.[9]

Unfortunately for my purpose, this distinguished author has of late been too deeply immersed in diplomatic concerns of the first magnitude, to continue his history lower down than the year 1443: 'Nor can I,' he says in a private letter, 'at the present crisis, direct my thoughts, without the most 'poignant grief, towards a subject which must incessantly re-'mind me of the subversion of the happiness, the freedom, and 'the glory of my country: and yet I do not despair,' he adds, 'to be allowed at some future period to reflect once more with 'exultation on that country; and to recollect with heartfelt 'satisfaction, the venerable names, and darling spots, which, 'during the best part of my life, have been the dearest objects 'of my contemplation.' Thus deprived of further assistance from an author in whom I could place implicit confidence, I had recourse to a variety of other publications of acknowledged merit; trusting that by carefully comparing and combining their different statements, I should still be able to supply a narrative which, in point of accuracy, might stand the test of scrutiny, and

[9] His history absolutely supersedes the use of the *Chronicon Helveticum*, written in German by ÆGIDIUS TSCHUDI, and published at Basle, 1734; two volumes, folio: a work which, although in Haller's opinion it has scarce a superior in any language for candour, accuracy, and perspicuity, falls far short of the spirit that pervades every page of Muller.

contain all the information that could be expected in a composition of this nature.

None, in this respect, have been of greater utility than LAUFFER's extensive work,[10] the author of which, being professor of history at Berne, undertook the task by order of that government, who, for this purpose, gave him free access to the public archives, and promoted the design by all means in their power. The history is by him brought down to the year 1657. The author, emulating the manner of the ancients, affected to reject all notes and quotations. In the earlier period he has been found deficient in accuracy; but in the middle ages, fortunately for the object I had in view, he is allowed to be sufficiently correct. His stile is prolix, often turgid, and by no means alluring: and the narrative is continually loaded with minutiæ, which afford ample opportunities for selection and abridgment.

Both to corroborate the evidence of Lauffer, and to continue the history to a later period, recourse has been had to the valuable publication of LEONARD MEISTER,[11] a learned professor at Zuric, in which, after slightly surveying the principal events of the early period of the Helvetic history, he enters more at large into the occurrences of the middle ages, especially those since the Reformation, and has in fact supplied the principal materials

[10] *Genaue, und umstændliche beschreibung Helvetischer Geschichte.* Zuric, 1736, seq. eighteen volumes, 8vo. besides several supplemental volumes.

[11] *Hauptszenen der Helvetischen Geschichte.* Zuric, 1784, two volumes, 12mo.

since the important epoch of the treaty of Westphalia. This author writes with spirit, taste, and judgment: and although he likewise omits to authenticate his facts by occasional references; and a marked partiality in favour of his city, chiefly to the detriment of the catholic cantons, be occasionally observable in his statements; yet the work has acquired a sufficient degree of reputation to be admitted as a voucher in a performance for which the writer is particularly solicitous to obtain the character of veracity. His narrative extends to the year 1768.

Many important materials, especially respecting the constitution of the confederate states, have been derived from MEINER'S *Letters upon Swisserland.*[12] This entertaining and instructive work contains, within reasonable limits, so circumstantial and impartial a detail of the state of Swisserland, previous to the late revolution, that I have been at little pains to collect materials on this subject from other quarters. The author, a man distinguished for his learning, penetration, and judgment, delivers nothing but what occurred to his own immediate observation, during a journey he made through the cantons in the year 1782. He corrects the mistakes of Stanyan, and of Schlözer, a censurer still more severe of the government of Berne; but at the same

[12] *Briefe über die Schweitz.* Berlin, 1788, four volumes, 8vo. The author is professor in the university of Gottingen.

time, with great candour and freedom, points out the defects which no doubt adhered to that, and to some other constitutions in Swisserland.

Much accurate information concerning these constitutions is contained in Coxe's Account of his Travels in Swisserland; a book which has acquired great authority by the decided approbation of all who are competent to form a just opinion on the subject; but which, being in the hands of all who read, cannot be transcribed without some injury to the author, and an unfair obtrusion upon the public. Though the statement here delivered be derived from different sources, particularly from the elaborate performance of professor Durand of Lausanne,[13] it will yet be found not to differ materially from what is contained in that valuable work; and, what is there necessarily dispersed in three volumes, will here be found condensed into one chapter of a moderate extent. Having named Mr. Coxe, I must not forego this opportunity of making a public acknowledgment of the liberality with which he has indulged me in the use of various materials for which I had occasion, in his copious library.

Although the books above described contain far more than could be condensed into these volumes, yet unwilling to let any assertion rest upon a single evidence, when others of equal

[13] *Statistique Élémentaire, ou Essai sur l'État Géographique, Physique, et Politique de la Suisse.* Lausanne, 1795, four volumes, 8vo

authority could be obtained, I have spared no pains in consulting all other writers of established reputation that came within my reach: and among them I have been particularly benefited by the ponderous Lexicon of LEU;[14] a work in which the topographical, political, and ecclesiastical matters are treated with great precision and fidelity, but which has justly been censured for redundancy and a tedious prolixity of stile, as also for various inaccuracies in the genealogical parts; the author having called on the different families for information concerning their descents, which some supplied with sufficient accuracy, others with puerile ostentation, and several, contemning the distinctions of hereditary pre-eminence, peremptorily refused to impart. But with all its imperfections, whoever means to make himself thoroughly acquainted with the country and nations of the Alps, will find great advantage in recurring to this work.

Neither should the inquisitive reader be without another work of a similar nature, which, though of a much smaller bulk, will yet be found of no less value and utility; I mean the Dictionary originally compiled in French from the great Encyclopædia of Yverdon, containing all the articles relating to Swisserland, which had been chiefly supplied by TSCHARNER, and G. E. HALLER, and which has since been greatly improved by the

[14] *Algemeines, Helvetisches, Eydgenossisches, oder Schweizerisches Lexicon.* Zuric, 1747—1795; twenty-six volumes, 4to.

learned professor Wyttenbach, of Berne, and other competent writers.[15]

I have long hesitated whether I should venture an account of the late revolution, which has in a few days demolished the work of many centuries. No one can be better apprised than I am, of the difficulty and hazard that must attend an undertaking, which to many, I know, will appear premature: and yet, whence is history to acquire its authenticity but from the evidence of those who have themselves witnessed the events? May it not be possible for an historian, especially in these times, when all manner of intelligence is propagated with scarcely any restraint, to select, from a variety of authorities, those facts which it either is not the interest of individuals to disguise, or which they often inadvertently suffer to transpire, though unfavourable to their cause? By comparing and combining a variety of such statements, may he not frequently compel the narrators to reveal truths, which perhaps they were desirous to withhold? Is it wholly impossible for a contemporary to divest himself of partial prejudice? and, should this be practicable, may he not, with the opportunities of investigation that still remain, be better able to unravel truth, than one who, after the lapse of centuries, must depend solely on written evidence, and surely cannot receive such lively impres-

[15] *Dictionnaire Historique, Politique, et Géographique de la Suisse.* Nouvelle edition. Geneva, 1788; three volumes, 8vo.

sions as he who follows the progress of the events as they arise? And should such a one misrepresent a fact or circumstance, it is surely an advantage that those should be still living who can rectify the error, and prevent its descending to posterity. Relying on that candour and fairness in the public, of which I hope to prove myself not destitute, I have at length resolved to avail myself of the abundance of genuine materials in my possession, to lay before the reader a narrative of this eventful and tragical period. Agreeably to the mode of investigation I have adopted, I have laid great stress upon the accounts given by the French themselves, in the journals published with the sanction of their directory: numbers of pamphlets and periodical works have been carefully perused; and were I allowed, I should here thankfully acknowledge the communication of many written documents, which have served to throw much light upon the incidents of which I endeavour to give a faithful representation. But no publication has been of greater use to me than Posselt's European Annals, which, though the author has not always concealed his bias in favour of the revolutionists, is yet allowed by all parties to state the facts with much fairness and precision. Meister, the professor of Zuric already mentioned, has likewise given an ample narrative of the events which mark this disastrous period; but, writing under the eye of a French general and his satellites, we must not impute to him as a defect that he

justifies the measures which have brought on the ruin of his country. In the progress of my narrative I have not spared the Swiss governments, which, it is generally thought, have of late incurred some blame;[16] and on the other hand, if the atrocious crimes we have lately witnessed in the oppressors of this country have occasionally extorted from me a reproachful epithet, I trust none who read these pages will be so lukewarm in the cause of humanity and virtue as to deem this an unpardonable transgression. The historian, who speaks with indignation of the cruelty of Nero, the perfidy of Lewis the Eleventh, and the hypocrisy of Cromwell, must not surely, on that account, be taxed with undue partiality.

[16] Muller, who has been consulted on this problematic subject, writes as follows: 'The greatest blame that can be laid to the charge of the Swiss governments is, that they 'could not persuade themselves that the villainy of the revolutionary leaders had no 'bounds whatever; and that they persisted in an opinion that the present times were not 'altogether different from those of the fifteenth century. The senate of Venice might in 'this respect be equally taxed with unpardonable imbecility. This confidence made the 'Swiss neglect the means of defence they had in their power, which, considering the great 'dispropotion of forces, would no doubt, in the end, have been insufficient; but which 'might for a time have deterred their base oppressors, and perhaps have retarded the 'blow, until new events might have brought about the deliverance of Europe. As to any 'other blemishes, I positively maintain, that there is no government on earth to which 'so few can be justly imputed; and that no part of the Helvetic history has ever exhi-'bited so general and determined a purpose to reform every abuse, and to provide effec-'tually for the welfare of the people. There certainly never was a more beneficent go-'vernment than that of Berne, nor ever a greater state of prosperity than that which 'prevailed throughout Swisserland, previous to the late calamities. Should heaven re-'store to my country a government so faulty as that which the apostles of anarchy have 'of late wantonly subverted, I have no doubt but Swisserland will once more become the 'envy and admiration of the human species.'

Such have been the principal documents from which the materials of this history have been collected. Many others, both published and in manuscript, have been consulted, which will be occasionally quoted in the progress of the narrative, wherever it may be necessary to corroborate the evidence of particular occurrences.

The state of Europe at the time when this work was preparing for the press,[17] was such as might well authorize a persuasion that the Confederacy, whose history I had determined to delineate, was actually extinguished, and that the period of its existence was for ever closed. Under such an impression, I no doubt suffered a gloom to pervade my narrative, which, had I written later, subsequent events might have, in some measure, dispelled. Fortunately for the civilized world, the face of affairs has of late considerably brightened up, and some hopes may be entertained that the Swiss will yet recover the independence, without which their condition would be truly deplorable. But I am far from singular in my opinion, that whatever degree of liberty they may recover, they will never be restored to the Confederacy which has been their boast, and the source of their felicity, for centuries. Men of much experience and discernment, who are thoroughly acquainted with the circumstances

[17] In the year 1798, and the beginning of 1799.

and wants of this people, even doubt whether, in the present, and probable future, state of society, that Confederacy ought, in fact, to be revived. One of the wishes nearest to my heart is, that I may be wholly mistaken in my sinister prognostic.

The limits prescribed to this work not admitting of an excursion into the literary concerns of the Swiss nation, against whom the imputation of dullness, and want of genius has been repeatedly brought forward; I trust the following short digression on the subject will not be thought an intrusion; my object being, not to extol the nation beyond its desert, but to indicate the degree of merit which it actually possesses, and which is capable of being established by incontrovertible evidence. Among the numerous instances of such charges of intellectual deficiency, which are incessantly to be met with, especially among the French writers, I have been somewhat surprised to find a passage in an English work of considerable reputation, which the author, if ever he reconsiders the subject, will, I am confident, not be unwilling to retract; and whom, for this reason, I forbear to mention.

'Mountainous countries,' says the hasty critic, 'which have 'mostly been inhabited by a robust and courageous race of men, 'of tall stature and healthy complexion, do not appear to be so 'favourable to the intellectual as to the corporeal excellence of 'the human species. From Boeotia to Biscay the feats of

'mental exertion have at all times been scarce along the Alpine 'and Pyrenean ridge of hills. The noted seats of culture must 'every where be sought at the river's mouth, not at its source; 'on the flat shore, not on the cloud-capt rock. . . . . The 'History of Swisserland forms no decisive exception to this ge- 'neral law. Her warriors and patriots are rarely of a class 'which excites much interest: they are Abderites, not Athe- 'nians. The higher order of faculties never appear at work.'

National reflections like these, when generalized in the manner we see in the preceding passage, are ever injurious, and will seldom stand the test of candid investigation. Our Caledonian fellow subjects surely do not, and indeed ought not to acquiesce in this degrading verdict; and the Alpine mountaineers, upon enquiry, will be found inferior to no nation in the natur endowments and superior acquirements which mark pre-em nence of genius.

Enough will be found in the following pages to convince tl unprejudiced reader, that during the dark ages of ignorance a barbarity, no where has the glimmering of intellectual light be less obscured than in the remote valleys of Swisserland; and th no nation has yielded so little to the gross superstition, whi at one period had, in most other parts, almost obliterated tl mental faculties of man. Hence we find, that when the torch reason began to blaze at the time of the Reformation, no country

was so early as that in vindicating the cause of truth, and reviving the cultivation of solid learning.

Without detaining the reader with a catalogue of the distinguished writers who have graced the literary annals of Swisserland, during the middle and later ages, I shall briefly indicate the names of the most eminent luminaries who have, in our century, done honour to their country; most of whom are sufficiently known to preclude the necessity of my descanting on their several merits. Who in fact has not heard of the profound mathematicians, the Eulers, the Bernouillis and Lambert? who that has at all attended to German literature (and German literature is now well worth attending to) but knows how to prize the merits of the venerable Bodmer, the restorer of pure taste in our days; the universal and pervading genius of Haller; the profound and no less elegant Iselin, Sulzer, and Zimmerman; the pathetic bard who sung the death of Abel; and the sublime imagery of the epic poem on the Alps. As philosophers, most of the names already mentioned will rank high in the list of their fellow labourers; nor surely will those of Bonnet, Saussure, and John Gesner, be omitted. As an historian, I must once more mention the name of Muller. As painters, the terrific Fuesslin, and the more correct and elegant Angelica Kauffman, have at least equal claims to reputation with any of their contemporaries: and as a sculptor, Hydlinger had no rival. I shall close this

slight sketch with the memorable facts, that of the eight members of the French Academy of Sciences, who were selected among the men of the highest reputation in the republic of letters, three were, at two different periods, natives of Swisserland :[18] and that not long ago, among the twenty-three members of the academy of Berlin, into which admission was obtained, not by intrigue or courtly favour, but by the keen discernment of the great Frederick, eight were of the same nation.[19] Much more might be added in support of the literary fame of this plain and unassuming people ; but this I trust will be sufficient to vindicate them from the rash imputation of national imbecility. It will now be incumbent on the shrewd observer, who has called forth this animadversion, to justify his remark by producing a proportionate number of names of equal eminence, that have, within the same period, adorned the mouths of the Rhine or Danube.

It may be deemed an extravagant, and perhaps a vain enterprize, to attempt a vindication of the Swiss from the charge of *venality*, which, having been incessantly repeated, is become in a manner

[18] L. Euler, D. Bernouilli, and Haller. They were succeeded by A. Euler, J. Bernouilli, and Bonnet. Voltaire, who was ever ready to throw out his sarcasms against this modest and unaffected people, frequently declaring 'that he knew no animal so like man as a Swiss,' was struck dumb when he was reminded of this circumstance.

[19] L. Euler, D. Bernouilli, Merian, Cat, Lambert, Begelin, Sulzer, and Wegelin. To each of these lists might be added the celebrated name of la Grange, who, though born at Turin, is of a family of Savoy ; and ought hence manifestly to be classed among the Alpine Abderites.

proverbial ;[20] and yet I am confident that every friend of truth, who will be at the pains to investigate the facts on which this disgraceful imputation rests, will soon convince himself that it applies not more to this than it does to various other nations, whose reputation is unsullied in this respect. What regular troops, in fact, serve, or indeed can serve, without pay? and in what other line of employment are services expected without adequate remuneration? Has not the most venerable of all professions sanctioned the maxim, 'that he who serves the altar 'must live by the altar?' And as to entering into foreign services, the ten thousand Greeks who, under Xenophon, fought in the cause of a foreign traitor; and the Scots and Irish, who, having no opportunity to serve at home, engaged in the armies even of the natural enemy of their country, are surely no less deserving of the epithet of *mercenary*, than the Swiss, who, while they accepted the importunate offers of friendly powers, always

[20] To the many popular sayings, equally unfair and contumelious, Voltaire has added the following couplet, which, however injurious, will never perhaps be wholly obliterated:

'*Barbares, dont la guerre est l'unique métier :*
'*Et qui vendent leur sang á qui le veut payer.*'

Henriade, Chant 10.

Abbé Raynal is a writer of too little authority to merit any comment upon his gratuitous assertion, 'that the Helvetic nations subsisted solely upon the hire of their mercenary troops.' And as to Muratori, who never names the Swiss without an insulting epithet, he has been amply refuted by a late anonymous but ingenious writer, in a tract entitled, *Risposta a varie imputazioni che si danno dagli scrittori, e specialmente dal Muratori agli Svizzeri.* Palermo, 1788, 8vo.

reserved themselves for the service of their country, whenever dangers called for them. It may be proved to a demonstration that Swisserland, as a state, has always been a great sufferer by its foreign military services, which accordingly the magistrates have long endeavoured to suppress; but finding it impracticable, have been at length driven to the necessity of regulating those services by equitable capitulations.[21]

To this may be added, in answer to the charge of *fickleness*, which has been liberally added to that of venality, that the most rancorous calumny will hardly find an instance in which the Swiss troops have spontaneously, and without provocation, forsaken the cause in which they had engaged; and that in every instance, when they suspended their services, the breach of faith was always to be laid to the charge of the ally, who first infringed the terms of their capitulations. No temptation ever allured them to change sides in the hour of danger: and of the multitude of instances of their devotedness to the sovereign in whose armies they took the field, none is more memorable than the austere fidelity they displayed at the battle of Malplaquet where two Swiss regiments, both of the name of May, the one in the French, and the other in the Dutch service, having, contrary to the terms of their capitulations, been drawn out against

[21] The appropriate name of the engagements of the Swiss regiments in foreign services.

each other, were so perfectly regardless of every consideration except their military duty, and fought with such obstinate intrepidity, that 1800 of the former fell in the conflict; and only one sergeant and 17 privates of the latter, returned from the field of battle.

I ought perhaps here, in compliance with custom, to deprecate the severity of criticism, and apologize for the imperfections that will be met with in the progress of this work. If I do not dwell largely upon this topic, it certainly is not that I think the performance free from blemish; but because I am well aware that apologies neither render the faults less disgusting, nor often obtain the pardon that is solicited. Having long experienced in a more contracted, though not an obscure line, the candour of the public in favour of one who earnestly endeavours to merit their approbation, I feel a degree of confidence that the same indulgence may be extended to this performance; in which every consideration of style has been sacrificed to precision and perspicuity; and which claims no merit but that of imparting a simple narrative, in a manner adapted to the character of the people of whom it means to convey a just idea.

J. P.

British Museum,
*Dec. 28th*, 1799.

# CONTENTS.

## BOOK I.

### ESTABLISHMENT OF THE CONFEDERACY.


### CHAP. I.

*Origin of the Helvetic Nations.*

Face of the Country. First Inhabitants. The Helvetii. The Rhæti. Times of the Roman Emperors. The Nation extirpated. Helvetia repeopled by—the Alemanni—the Franks—the Ostrogoths—the Burgundians. General View of the Country.

### CHAP. II.

*Helvetia under the Burgundians, Ostrogoths, and Franks.*

Under the first Kingdom of Burgundy—under the Ostrogoths—under the Franks—under the new Kingdom of Burgundy. Form of Government. Laws: 1. Burgundian; 2. Alemannic. A new Statute. Manners.

### CHAP. III.

*Helvetia under the Germanic Empire.*

1. SECULAR LORDS: the Presidents of Rhætia: the Counts of Lenzburg; of Kyburg; of Hapsburg: Dukes of Zæringen: Counts of Savoy; of

Gruyeres; of Neuchattel; of Rapperswyl; of Tockenburg, &c. 2. ECCLESIASTICAL LORDS. The Bishops of Lausanne; Constance; Coire; Sion; Geneva; Basle: Abbeys of Disentis; St. Gallen (Appenzel); Seckingen (Glaris); Zuric (Minster), (Ladies' Monastery); Payerne; St. Maurice; Engelberg; Einsidlen. 3. CITIES. Zuric: Shaffhausen: Basle: Soleure: Berne: Friburg: Lucern. Recapitulation.

CHAP. IV.

*The Swiss.*

Their Origin. First Constitution. Their Country divided into Cantons. First Notice of them.

CHAP. V.

*Rudolph of Hapsburg.*

. Times during his Infancy. State of Berne: its Constitution and Manners (the Oberland), Zuric, &c. Peter of Savoy. The Swiss. 2. His Youth. Dawn of his Prosperity. 3. His Age of Manhood. Advocate of Schwitz. Captain of Zuric. Disputes with St. Gallen, and Basle. 4. Rudolph on the Imperial Throne. His Character. His Conduct towards—*a.* the Cities, and Municipal Towns: *b.* The Nobles: *c.* The Clergy. Proposes to revive the Kingdom of Burgundy. Wars with Savoy: with Berne: with the Count of Burgundy. 5. Rudolph in his old Age. His Death.

CHAP. VI.

*Albert of Austria.*

His Character. First Compact of the Swiss. An Alliance against Albert. Hostilities. Expedition against Berne. Albert before Zuric. Advocacy of St. Gallen; of Glaris. Other Acquisitions of Albert. His Conduct towards the Swiss. William Tell. The Bailiffs expelled. King Albert slain. His Death avenged.

## CHAP. VII.

### *League of the four Forest Cantons.*

Consequences of Albert's Death. A Contest between Schwitz and Einsidlen. Election of two Kings of Germany. Whence a War with the three Cantons. Battle of Morgarten. Strasberg defeated. The Confederacy renewed. Termination of the War. The Swiss assist King Lewis. First Expedition of the Swiss into Italy. The Underwalders march in favour of Hasli. Lucern admitted into the Confederacy. A War in consequence thereof. A Conspiracy at Lucern. Progress towards Italy. A general Pacification. An instance of Generosity. State of the Country, (Cultivation), (Commerce), (Religion), (in general).

## CHAP. VIII.

### *Revolution at Zuric. War of Laupen.*

1. Change in the Constitution of Zuric. State of Zuric previous to it. Change of the Constitution. New Form of Government. Brun's Policy. 2. War of Laupen. Ostensible Causes of this War. Real Motives. Conduct of Berne; *a.* in the Council: *b.* at a Congress. Preparations of the Lords: of Berne. The Berners chose a Commander. Eve of the Battle. The March. Hour before the Battle. The Battle. The Evening. The Day after the Battle. Sequel of the War. Peace. A Plague. Fate of Bubenberg; and of Erlach.

## CHAP. IX.

### *Four Cantons added to the Confederacy.*

Conspiracy against Brun. Zuric admitted into the Swiss Confederacy. War with Austria. Duke Albert summons the People of Glaris: who join the Swiss. Admitted into the Confederacy. Battle near Tatwyl. Brun consults his own Safety. Zug received into the Confederacy. Peace. Berne enters

into the Confederacy. Another War with Austria; and with the Empire. An Attempt to divide the Confederates. Defeated by Schwitz. Truce of Thorberg. Brun's Death.

## CHAP. X.

### *Wars with the Nobles.*

State of the Confederacy. Accession of Gersau, &c. Priest's Ordinance. Brun's Family disgraced. Feud of Rinkenberg. Zuric. Basle. Berne. War of Bienne. St. Gallen. Rhætia. The Pays de Vaud. Neuchattel. The House of Austria. Recapitulation. Expeditions of Cervola: and Coucy. An Attempt upon Soleure. View of the Times. Ostensible Cause of the War with the Nobles. Preparations. Battle of Sempach. Battle of Næfels. Siege of Rapperswyl. Berne takes Buren, Nidau, &c

## CHAP. XI.

### *The Confederacy prevails throughout Helvetia.*

Decree of Sempach. Constitutional Act of Zuric. Twenty Years Prorogation of the Truce. Acquisitions made by Zuric; Berne; Soleure; Basle. Domestic Occurrences—at Friburg—Shaffhausen—Zug—Glaris. Fire at Berne. Decline of the Nobility. Acquisitions in Italy. Rhætian Leagues. Werdenberg. Tockenburg. Appenzel. Joined by St. Gallen. Battles at the Speicher—at the Stoss—at Hauptlisberg—at the Wolfshalde. Peace. Unite with Seven of the Cantons. A fifty Years' Peace. Recapitulation.

# BOOK II.

## THE PROGRESS, DECLINE, AND DISSOLUTION OF THE CONFEDERACY.

### CHAP. I.

*Councils of Constance and Basle.*

The Hierarchy. A Council summoned. Berne takes the Argau. Zuric makes Conquests. The Council dissolved. War of Raron. War of Bellinzona. Battle of St. Paul. Rhætia. The Grey League. League of the House of God. League of the Ten Jurisdictions. Council of Basle.

### CHAP. II.

*War of Zuric.*

Succession of Tockenburg. (Burgomaster Stussi). Disputes concerning it. Hostilities. A Pacification. Zuric joins Austria. Renewal of the War. Action of Freyenbach. The Lines of Hirzel forced. Action at the Chapel of St. Jacob. Invasion of the Armagnacs. Action at St. Jacob, near Basle. Peace.

# ERRATA.

| | | | | | |
|---|---|---|---|---|---|
| Page | 9, note 28, | *for* | Aventicorum, | *read* | Aventicum. |
| —— | 13, lines 2 and 9, | — | Servetus, | — | Servatus. |
| —— | 18, last line, | — | Pepienses, | — | Pepinenses. |
| —— | 28, margin. | — | Statue, | — | Statute. |
| —— | 31, l. 3, | — | Arces, | — | Acres. |
| —— | 37, l. 4, | — | Lenzii, | — | Lentienses. |
| —— | ib. last line, | — | 1179, | — | 1173. |
| —— | 38, l. 10, | — | all, | — | most of. |
| —— | 49, l. 8. | — | Avranche, | — | Avenche. |
| —— | 174, l. 4, | — | Honberg, | — | Homberg. |

# THE HISTORY

OF THE

# HELVETIC CONFEDERACY.

## BOOK I

### ESTABLISHMENT OF THE CONFEDERACY.

### CHAP. I.

*Origin of the Helvetic Nations.*

CHAP. I.

THE Confederacy of the Helvetic nations presents an object of contemplation, which, while it must command the esteem and reverence of all the wise and good, cannot fail to offer useful lessons to future generations. Bloodless in its origin, and peaceful in its effects, it has afforded a long period of tranquillity, security, and comfort to a people of simple manners; who, though by no means formidable in numbers, and inhabiting a rocky, and in most parts, a barren country, have yet long maintained themselves against the incessant efforts of all their powerful and rapacious neighbours. It has supported a constitution, which, during five centuries, has been the admiration, if not the envy, of the most civilized nations of Europe. A comprehensive view of its rise and establishment

CHAP. I.

will be attempted in this first Book; and in a second, will be traced an outline of its progress through many arduous struggles, and a long period of prosperity, to its decline, and present suspension, if not final dissolution. We may now survey its history, like that of the ancient republics; as affording an example of a wise and prosperous polity which once graced the earth, but has at length yielded to the collision of destructive passions, and the lapse of time: but we shall in vain seek in the annals of former ages, or in the splendid, though dubious[1] pages of the historians of Greece and Rome, an instance of a government, which, while it dispensed so many blessings, has caused so few sorrows to its grateful people.

Face of the Country.

The mountains which, from time immemorial, have obtained the name of Alps,[2] form an enormous crescent which embraces the north of Italy. Their hoary summits tower far above the clouds,[3] and impend over clefts and caverns, whose unknown depths are perpetually buried under accumulated masses of ice and drifted snow. Viewed from the south, they present a stupendous, almost perpendicular, and to all appearance impenetrable barrier; whilst, to the northward, they subside gradually in successive chains of less elevated heights, which, winding in many irregular mazes, form a vast labyrinth,

[1] Of the veracity of the most admired historians of antiquity, doubts have been entertained by writers of the greatest discernment and impartiality; v. Cic. de Leg. i. 1.; Stobæus Serm. lxii.; Hume's Essays, p. 105, edit. Edinb. 1752: whilst the most important part of the Swiss history is authenticated by unquestionable documents.

[2] Some etymologists have derived this word from ἀλφὸς, or *albus*; but it is more probably of Celtic origin; *al*, in that language, meaning high, and *pech*, or *pes*, a mountain. v. Bullet Dict. Celt. v. *Alpes*.

[3] According to Sir George Shuckburgh's geometrical measurement, the summit of Mont Blanc is 15,662 feet above the level of the Mediterranean. v. Phil. Trans. vol. lxvii. p. 592. Several peaks near St. Gothard are said to be still higher.

repeatedly intersected by lakes and torrents. The Alps of Uri and Underwalden, those on the southern frontiers of Bern, of the Valais, and the Grisons, compose the great cluster usually called the St. Gothard: and hence they branch out in various directions towards the lakes of Constance, Zuric, Thun, Como, and the Lago Maggiore. Hence also proceed, or are supplied, two of the greatest, and several of the secondary rivers of Europe. The three sources of the Rhine are almost secreted from mortal eye in a remote and desolate region on the eastern side of St. Gothard;[4] but their streams soon uniting, form a navigable river, which, after traversing the lake of Constance, descends over various precipices towards the confines of France, and thence winds its long and stately course to the German ocean: few rivers have been so beneficial to mankind; none perhaps have been so often stained with human blood. The Inn rises not far from the Rhine; and its waters, mixed with those of the Danube, ultimately reach the distant Euxine. The Reuss and Aar issue near each other; the one from the top of St. Gothard, and the other from a contiguous mountain to the westward. After long and devious courses, in which the latter receives a stream from the lakes of Neuchatel, Morat, and Bienne, they meet in one channel, and, with the addition of the Limmat from the lake of Zuric, contribute largely to the increase of the already copious Rhine. The Rhone breaks out very near the head of the Aar; and, after replenishing the lake of Geneva, proceeds in a rapid course to the gulf of Lyons. The source of

[4] One of these sources is in a glacier called *Paradise*, no doubt *per antithesin*, for a more dreary spot does not exist. These streams are navigated by rafts before their junction.

CHAP. I.

the Tesino is close to that of the Reuss; and its waters, after having washed the shores of the Boromean Islands, fall, in conjunction with those of the Po, into the Adriatic.[5] Smaller rivers, lakes, brooks, and torrents, are almost innumerable.—The Alps, and the lake of Geneva to the south, mount Jura to the west, and the Rhine to the north and east, are the natural boundaries of the country; which, on a surface of about fifteen thousand square miles, contains, in our days, not above one million and eight hundred thousand inhabitants.

First inhabitants.

A people named Gauls, consisting of hunters and shepherds, came with their bows and arrows, and numerous flocks and herds, from the remote regions of the east, and overspread the continent of Europe, from its western extremities to the heaths and swamps of Batavia, and far towards the borders of the Rhine. The Celts, one of these wandering hordes, for reasons unknown to us, forsook the fertile plains of Gaul, and the banks of the lower Rhine; and numerous swarms of them advanced along the Aar to the lake of Geneva, and into the lower valleys of the Alps.[6] These were the ancient Helvetii,[7] who, in four districts,[8] cultivated the land with all the

The Helvetii.

[5] It is a curious geographical fact, that within the precinct of a very few miles, on the Julian Alps, in the Grisons, rise the Inn, which falls into the Black sea; the Maira, which runs into the lake of Como, and thence into the Adriatic; and several streams which join the Rhine, and with it reach the German ocean.

[6] Tacit. Germ. c. 28.

[7] We have no satisfactory etymology of this name.

[8] Omnis Civitas Helvetia in quatuor pagos divisa est. Cæs. de Bel. Gal. l. i. c. 10. The conjectural names of these four pagi are the Tigurinus, the Aventicus, the Urbigenus, and the Antuaticus. The German appellation of *Pagus*, is *Gau*; and many names of districts, in upper Germany, still have this termination; such as Argau, Thurgau, Sundgau, Brisgau, &c. They are often derived from the rivers that run through them.

unskilfulness of first inventors, received some civiliza..., ...d learnt an alphabet from Greek adventurers who came among them from Marseilles; and, no doubt, occasionally increased the number of those Gaulish armies, which more than once struck terror into Rome. The Tigurini, the tribe most frequently named, when the Cimbri invaded Gaul, joined them under the conduct of Divico, a youth of great bravery and conduct: but their own country being attacked by a consular A.V.C. 646. army, they returned, and obtained a signal victory near the lake of Geneva. L. Cassius, the consul, L. Piso, one of his lieutenants, and the flower of the army, were slain: L. Popilius, the other lieutenant, and the remainder of the legions passed under the yoke.[9] Marius soon retrieved, in Gaul and Lombardy, the honour of the Roman arms; but the Helvetii remained unmolested.

Fifty years after this successful struggle, the whole Helvetic nation, together with some neighbouring tribes, resolved to migrate into a country where sustenance might be obtained with less toil and danger than in their native valleys. They, near four hundred thousand in number, including their wives and children, crossed the Jura, and advanced into the heart of 695. Gaul. Divico still headed the Tigurini. Their conflicts with Cæsar, their defeats, and their return to their desolated homes, are instructive lessons to nations who seek for prosperity by other means than industry, moderation, and fortitude.[10] Cæsar

[9] This fact is expressly mentioned by Cæsar; but the passage may be one of those which Asinius Pollio has cautioned us not to admit without better evidence. Cæsar had to justify his aggression of the Helvetii, who had never molested him.

[10] Cæsar's ample account of this memorable event is so much read, that it may be superfluous to insert it here. v. de B. G. l. i. c. 1—29.

CHAP. I.

secured the passes at Geneva, and through mount Jura, by the Julian equestrian colony, which he established at Noviodunum;[11] and the Helvetii, now dependent on Rome, guarded those which lead across the Alps, and thus became the bulwark of the empire against the Germans.

An overthrow the Veragri and Seduni, in the Valais, experienced at Octodorum,[12] from Sergius Galba, completed their subjection.[13] They retained, however, the privilege of being governed by their own magistrates; and received the rights which Latium owed to the ties of consanguinity, and many obstinate wars.

The Rhæti.

The Rhæti[14] are reported to have been a people of Tuscan origin, who, flying from the oppressions of the Gauls who ravaged their country, took refuge among the higher Alps, eastward of St. Gothard, to the farther confines of the Tyrol, and down to the lake of Constance.[15] Here they erected strong castles on many eminences;[16] and built another Lavinium, an Ardea, a Susa, and a Faliscum, of which Camillus never had any knowledge.[17] This people, perhaps exasperated by the losses they had sustained, or rendered callous by the

[11] Nyon, on the lake of Geneva.

[12] At or near Martigny, in the Valais. These tribes were probably not of Helvetic origin.

[13] Cæsar, de B. G. l. iii. c. 1—5.

[14] This name was either indigenous Tuscan, or derived from that of the chief who led them into the Alps.—The Lepontii were a tribe of uncertain origin, likewise seated among these mountains.

[15] Liv. l. v. c. 33.

[16] Arces, Alpibus impositas tremendis. Hor.

[17] Lavin, Ardetz, Susch, Flæsh, the present names of townships in the Grisons. To these many more Roman or Tuscan names of towns, and of some families, might be added.

extreme asperity of their newly adopted country, became martial to a degree of savage ferocity. They harrassed their neighbours on every side, and exercised on them all manner of rapine and cruelty. Amidst the triumphs of the Romans all around them, they preserved their sullen independence;[18] until the days of Octavianus Augustus, when his two sons-in-law, Cl. Drusus and Cl. Tiberius Nero, with a considerable army, penetrated far into their country, seized on the most hardy of their youths, whom they incorporated into the Roman legions, and established a strong camp, which kept the natives in awe, and enforced the payment of a stipulated tribute.—Most of the Rhæti fell in these struggles for independence;[19] and scarce one third of the Helvetii survived their wars with Cæsar. Such was the havock necessary to curb these stubborn mountaineers.

Times of the Roman Emperors.

Although subdued by Cæsar, the Helvetii still retained considerable privileges, and among the rest were allowed to garrison a fort near the frontiers of Germany, with their own militia. The Romans at the same time settled in many parts. The Colonia Augusta Rauracorum,[20] on the Rhine, soon became equally eminent for strength and splendor. Aventicum[21] was considered as the capital of the country.

[18] Their posterity, to this day, speak a language which is thought to be derived from these rude ancestors: it consists of two main dialects, the *Romansh* and *Ladin*. v. Phil. Trans. vol. lxvi. p. 129. Coxe's Travels in Swisserland, vol. iii. p. 279.

[19] Such was the fierce resistance made by this people, that even their women are reported to have fought with desperate fury, and to have dashed their children in the faces of the Roman soldiers.

[20] Augst, near Basle, is the name of the village which now stands on the site of this once important station.

[21] Avenche, where many remains of the ancient city are still extant.

CHAP. I.

Vindonissa[22] and Ebrodunum[23] appear to have been places of some note: and many inscriptions are still extant, from which we collect, that during the auspicious reign of Augustus, this country enjoyed a degree of prosperity, which, under his profligate successors, was soon converted into a most degrading state of servitude.

A. D. 69.

The twenty-first legion, when Vitellius assumed the purple, was stationed at Vindonissa. From its extortions it had acquired the name of the *rapacious*.[24] It took offence at the loyalty the Helvetii had maintained in favour of Galba; and being joined by the Thracian and other legions, and headed by Aulus Cæcina, a man of great audacity and unheard of cruelty, ravaged the country from Baden,[25] which he demolished, up to Aventicum, where Julius Alpinus, the chief magistrate, was demanded for instant execution. His daughter Alpinula implored for mercy; but she implored in vain. Her sepulchral inscription, found not long since, expresses in pathetic language the sorrow which seems to have abridged her days.[26] The whole Helvetic nation was doomed to utter destruction. Claudius Cossus, the chief of a deputation sent to crave for mercy, succeeded by his eloquence and supplicating demeanor, to soften, not only the obdurate emperor, but even the exasperated legions, and saved what yet remained of the desponding people.[27]

[22] Windish, near the conflux of the Reuss and Aar.

[23] Yverdun.

[24] *Rapax*. Tacit. hist. l. i. c. 67; and l. ii. c. 43. 6

[25] *Respublica Aquensis*, was already noted, and resorted to for its salubrious water

[26] Julia Alpinula hic jaceo, infelicis patris infelix proles, deæ Aventiæ sacerdos exorare patris necem non potui; male mori in fatis illi erat: vixi annos xxiii. Grut Inscrip. 319. 10.

[27] Tacit. l. i. c. 67, et seq.

CHAP. I.

A short series of better emperors succeeded, and Helvetia, as well as the rest of the Roman world, experienced a less disastrous interval. Vespasian, whose father had carried on a profitable traffic in this country, strengthened Aventicum by a colony of veterans,[28] perhaps some of the legionaries whom Titus had brought back from Asia, after the conquest c Judea; whence, and from some resemblance between th lakes of Morat and Neuchattel, and those of Merom and Ge nezareth, which alike communicate with each other, thi country is said to have been once named Galilee.[29] A colleg of physicians, and other public seminaries, were established i this favoured city. Rocks[30] were perforated in the vicinity to facilitate trade and mutual intercourse. Timber, wine, an cheese, were exchanged for corn and other necessaries. Th industry of man penetrated into the higher Alps, explore their natural produce,[31] and extended culture to the farthes limits of vegetation. The people paid grateful homage to th gods: they worshipped the sun under the name of the invin cible Belinus, and his sister Isis, the moon. They honoure the sylphs as their peculiar guardians; and revered the god of the shades below.[32] Many inscriptions bear witness to th domestic felicity they enjoyed; and cheerfulness is even ob served on their sepulchral monuments. 'They lived,' as on of them caused to be inscribed on his tomb, 'as we do; w

[28] Colonia Flavia, pia, constans, emerita, Aventicorum Helvetiorum. Murat. Ine 1102.

[29] Fredegarius.

[30] Pierre Pertuise.

[31] Described by Pliny in various parts of his Nat. Hist.

[32] *Dis manibus*, occurs often on inscriptions.

CHAP. I.

'shall die like them: thus do men drive each other through 'the world: go passenger, and mind thy business.'[33]

But prosperous days like these were not to be of long continuance. Trajan was still holding together the unwieldy power of Rome, when the Alemanni from the north, spread their arms and led their cattle to the confines of Helvetia. They wandered freely throughout the ample waste.[34] They despised walls; and stood in no need of social aid, for each man supplied his own wants. They feared and worshipped the invisible powers of nature; and probably sacrificed horses at the great Cataract, near Shaffhausen; where the dark tumultuous scene (which even now, after the effects of time and culture have softened its features, strikes the beholders with awe and admiration), favoured the gloom of their barbarous rites.[35] After various attempts, whilst the feeble Gal-
265. lienus had thirty rivals to contend with, they penetrated, in great numbers, into the valleys of Rhætia, and crossing the mountains, overspread Italy as far as the gates of Ravenna. The northern nations seemed now in a general fermentation. The Burgundians from the Saale, the Heruli from the fenny sands of Brandenburgh, the Ostrogoths, Franks, and Saxons, assailed the empire on every side. The situation of Helvetia was too centrical to escape the depredations of these ferocious invaders.

[33] Vixi ut vivis, morieris ut sum mortuus; sic vita truditur; vale viator, et abi in rem tuam. Gruter, 898. 1.

[34] The obsolete German word *almend* here used, means a common pasture. Among the many derivations of the name *Alemanni*, this is not an improbable one. The Suavi, or Suabians, were the same people.

[35] Horse shoes have been found in the clefts of the rocks, which still remain at the great fall near Shaff hausen.

The city of Aventicum was probably burnt in one of these incursions; and the whole nation seems, about this time, to have been totally extirpated: but no historian has recorded even the dates of these calamities. Geographers, who mention Helvetia during this period, represent it as a mere desert: and Ammianus Marcellinus, at the end of the fourth century, speaks of Aventicum as of a place, at that time, wholly abandoned, but whose former greatness might be justly inferred from the large and extensive ruins that covered its site. Had Rome chosen to conciliate the friendship, rather than to subdue the people of the Alps, they would perhaps have fought more strenuously for their common welfare, and averted, both from Italy and their own country, the disasters that finally brought on the ruin of both.

The nation extirpated. 304.

In this state of devastation, Helvetia became now an easy prey to the first adventurers who were inclined to occupy it: and yet some centuries appear to have elapsed before the new possessors rose to the rank of a nation. The Alemanni maintained their ground in the northern parts of Rhætia, to the lake of Constance; and across the Reuss, as far as the Aar and the wilds of Aventicum. They were shepherds, and much addicted to arms. So far from building, they demolished cities, and often pillaged the open country. They continued stedfast to the gods of their ancestors. No social institutions can be traced up to this erratic people. They were restrained in their depredations by Clovis, who had brought his Franks from the heaths and swamps near the lower Rhine, and received the Gauls, weary of the proud, but impotent sceptre of the Emperors, under the sway of his more simple

Helvetia repeopled by the Alemanni.

The Franks.

CHAP. I.

staff.[36] After the battle of Tolbiac,[37] in which he embraced the Christian faith, and defeated the Alemanni, this people also yielded to his supremacy; but many of them, when he advanced into their Alpine valleys, withdrew from their allegiance, and chose rather to desert their country than serve a foreign king. Most of them, however, seeing themselves forlorn and destitute, bore the yoke without repining. Clovis took possession of their country; but the limits of his dominions, in these parts, have never been accurately defined. Rhætia fell to the lot of the Ostrogoths.

496.

The Ostrogoths.

Among all the conquerors who have afflicted, and yet commanded the admiration of mankind, none was ever greater than Theodoric, the Ostrogoth. He came with his hardy warriors from Dacia, and the southern parts of Russia; and received from Zeno, the Emperor of the East, a formal surrender of lands in the north of Italy, where he ruled for the remainder of his days with great wisdom and renown. Rhætia was then considered as a part of Italy. It included the Tyrol, a part of Suabia, all the Grison country, and the Alps of Appenzel, Glaris, and Uri, as far as a rock[38] on which, as a boundary towards Burgundy, King Dagobert afterwards caused a crescent to be hewn. Theodoric interceded with Clovis in favour of the vanquished Alemanni, and sent him word, "that he was great enough to be merciful." Many Alemanni, however, between whom and the Franks there already existed a rooted

[36] This staff is figured in the *Recueil d'Estampes representant les grades*, &c. Par 1780.

[37] In the Dutchy of Juliers.

[38] This rock is mentioned in a charter, but is not known at present.

antipathy, preferred the milder sway of the Ostrogoth. He appointed Servetus, his governor, or duke, over Rhætia; and sent a body of soldiers to maintain order, and secure the frontiers. Many Romans also settled in these parts; perhaps, because these craggy mountains appeared to them a safe asylum against wanton tyranny. A national militia, called the Breones,[39] was probably an institution of an earlier date; for the Rhæti, although curbed by Rome, still preserved a martial and independent spirit. Servetus restrained the licentiousness of these bands, by a severe discipline. Our knowledge of the language and peculiar customs of the early Goths is so imperfect, that we can form no conjecture how far, in the present manners and dialects of the Swiss, there may still be any remains of Gothic antiquity. In the wildest parts of the mountains of Rhætia, there is a village,[40] situate in the midst of those where the Romansh language is used, whose inhabitants speak German: in the valley of Lugnetz,[41] are thought still to exist the descendants of the oldest Rhæti. But of such derivations it is more easy to demonstrate that they are all uncertain, than which of them are true. In a country like this, where each valley is the whole world to its inhabitants, the nearest neighbours are frequently such strangers to each other, as to differ widely in many of their customs, and sensibly so in their dialects: it is therefore by no means easy to determine what, and how much, there is in each valley of Tauruscan, of Rhætian, of Cimbric, Alemannic, or Gothic origin.

[39] The oldest municipal law of Ireland is called *Brehon law*. v. Blackstone's Comment. sect. 4. This may be a word of Gallic origin.

[40] Avers, on a torrent which falls into the upper Rhine.

[41] On the lower branch of the Rhine, near Illantz.

CHAP. I.

The Burgundians.

No people has, during a long interval, had greater influence in the more hospitable parts of Helvetia, than the Burgundians. They were probably of Vandal origin, and are said to have come from the banks of the Vistula; and, after some struggles with the Alemanni, to have approached the Rhine, and penetrated through Gaul, far into the Roman province. An aged bishop came forth, and converted them, together with their leader Gonthahar, to the Christian faith. Constantius, a Roman general, allotted them a tract of land on the Rhine: but they, finding their limits too narrow for their increasing numbers, soon burst forth, and, after receiving some checks from Ætius, a leader, who in better times would have acquired superior fame, they were allowed to extend their habitations to the plains at the foot of the Alps, which had been formerly occupied by the Allobroges[42] and Helvetii. They engaged, in return, to defend these boundaries of the weakened empire. Gundioch, a Visigoth, became their chief by election, and was the first king of Burgundy. They joined Ætius against Attila, to whom the traditionary songs of the country ascribe the final demolition of many Helvetic cities. They afterwards penetrated farther into the interior parts of Gaul, and occupied the Uchtland,[43] and the whole Valais. They revived agriculture, renovated society, and restored the sweets of life to these desolated regions.—The most antient families, all the words of the provincial dialect which are not derived from the Latin, the names of many places, most things, in fact, in this fairest part of Helvetia, are of Burgundian origin.

[42] The district about Geneva.

[43] The less hilly country, where Berne and Friburg have since been built.

CHAP. I.

General view of the country.

From these nations were descended the confederates of the Thirteen Cantons, their subjects and allies. Few dates are accurately known, but most of these new settlements were formed in the fifth century. At the commencement of the sixth, all that was not desert of the northern, or, as it has since been called, the German part of Swisserland, was possessed by the Alemanni and the Franks; the Roman[44] part was occupied by the Burgundians; and Rhætia belonged to the Ostrogoths. The kings of the Franks professed the Catholic faith; and those of the Goths and Burgundians believed with Arius, 'that Christ was similar, but not equal, to God; that he had 'not existed from eternity, but that he was made before all 'other creatures;' for Christians have ventured to contend on points like these, although Christ has testified of himself, "that no one knoweth who the Son is, but the Father."

500.

[44] *The Pays de Vaud*, is also called *Pays Roman*; it being the last district of Helvetia in which the declining power of Rome preserved a footing.

## CHAP. II.

### *Helvetia under the Burgundians. Ostrogoths. and Franks.*

CHAP. II.

THE conquerors who founded those kingdoms to which, at this time, were annexed the Rhætian Alps, and the Helvetic plains and valleys, were not succeeded by men of equal talents and energy. The descendants of Gundioch, and of the magnanimous Theodoric, did not possess the thrones of the Burgundians and Ostrogoths, longer than half a century.[1] The monarchy founded by Clovis has indeed reached our days: but thrice have the races of its kings degenerated, and been ignominiously stript of their regal honours. Its last sovereign was perhaps the most guiltless; but unhappily for himself, his ill fated house, and the civilized world, he was not fitted for the times in which he lived.

Helvetia under the first kingdom of Burgundy.

Gondebald, the son of Gundioch, a fratricide, but of no small renown in arms, could not impede his lords spiritual and temporal, and the people, from assembling at Geneva,[2] and framing laws, which controuled his power; and which were afterwards revised and confirmed at another meeting held at Ambieu.[3] Ecclesiastical affairs were likewise regu-

502.

[1] The whole period from the time the Burgundians crossed the Rhine to the last defeat of Gundemar, amounts to 128 years. The reign of the Ostrogoths, in Italy, did not last more than 60 years. Theodoric was acknowledged king in 493.

[2] Spon. Hist. de Geneve, tom. i. p. 25. edit. 1730.

[3] Lex Burgund. ap. Lindenbr. Cod. Legg. Antiquar. The place is not known at present.

lated at a council at Epaone,[4] by which the regal authority received some further limitations. Gondebald was succeeded by his two sons, Sigismund and Gondemar, who, forgetful of the maxims to which sovereigns owe their security, were soon assailed by the Franks and Ostrogoths, and after some feeble struggles, yielded to the victorious invaders. Sigismund, his queen, and two sons, were taken by Chlodomir, and beheaded at Orleans. It is uncertain whether Gondemar fell in the field, whether he ended his days in prison, or whether he spent the remainder of a disastrous life, amidst various adventures, in distant countries.

526.

534.

Under the Ostrogoths.

The best part of the Burgundian dominions in Helvetia fell to the share of the Ostrogoths, but was soon forfeited by the depravity of their monarchs. Theodatus, nephew of Theodoric, caused Amalasuntha, the daughter of that hero, to be put to death; and by that crime, occasioned the defection of a great part of his Italian dominions, and incurred a series of misfortunes which ended in the ruin of his kingdom. Totila, his third successor, strove in vain to repel the attacks of Narses, the successful general of Justinian. Whilst he was collecting forces in Tuscany, Thierry, king of Austrasia, advanced into the Rhætian Alps: and from that time, the whole of Rhætia and Helvetia became subject to the Franks. The Lombards, invited by Narses, occupied the seats of the Ostrogoths on the south of the Alps.

549.

Under the Franks.

To the times in which the Merovingian and Carlovingian princes possessed the supremacy in these parts, are to be ascribed many of the Helvetic foundations and establishments, both civil and religious; some of which, in subsequent periods,

[4] Colet. tom. v.

CHAP. II.

have even rivalled the lustre of the throne. The kings delegated their power in the provinces to deputies, who were bound personally to administer justice, to direct all public concerns, and, in case of need, to levy the forces of their respective districts. They bore different names in different provinces. A duke governed lower Burgundy; a patrician administered the district in the mountains, together with the Valais, the Pays de Vaud, the Uchtland, and part of the Argau; another duke presided over the Alemanni; and a president over the Rhæti.

The counts, or companions, seem to have held a subordinate rank, but soon after rose to equal consequence; and barons are also named, who, with great manerial rights, held probably inferior jurisdictions. These officers, in process of time, and the nobles in general, secure in their fastnesses among the mountains, became regardless of the authority of the monarch; and the people, seeing the supreme power wholly vested in their hands, lost sight of the sovereign; and at length, when the imbecility of the descendants of Clovis, and their fatal dissensions, had deprived them of all energy, these aspiring delegates assumed an unlimited possession of the lands, titles, and honours, which had been conferred on them conditionally.

751. Pepin, and his son Charlemagne, after having extirpated the Merovingians, thought it highly expedient to curb the power of these dukes and counts, and with this view encouraged religious establishments.[5] Even the fierce Rhæti, after

[5] Pepin is said to have built a castle near Soleure, which, probably from his name, was called Bipp; and the country between the Iura and the Aar, the Comitatus Pipiensis.

CHAP. II.

the extinction of the race of their first presidents, were, by the last mentioned crafty monarch, brought to acknowledge the feudal supremacy of the Bishops of Coire. His successors inadvertently relinquished this salutary policy; and some dukedoms, and many counties, became gradually fiefs of inheritance.[6] After his death, as if his great talents, which he had so often misapplied, had at once wholly forsaken his posterity, nothing followed but an alternate succession of folly and wickedness. Sons warred against their fathers, and brethren among themselves: till at length, the power of the Carlovingians became the scoff of nations, and the prey of pirates; and its princes, after a century and a half of baseness and infamy, were themselves driven from the throne, with no less ignominy than had attended the fall of the Merovingians. 987.

Charlemagne, having revived the western Roman empire, and transmitted it to five generations of his descendants, the Alemannic part of Helvetia is henceforth found to have acknowledged its supreme authority, delegated to the Dukes of Suabia, who had often to contend with the Bishops of Constance, and other envious rivals, for the peaceful possession of their office. But the Burgundian parts, and Rhætia, were in the subsequent partitions of the dominions of that subtle monarch, repeatedly annexed to the Austrasian kingdom. This, however, was of short duration: another race succeeded, which was not descended from the victorious Charles.

Under the new kingdom of Burgundy.

Boso, a count from the Ardennes, rose to high distinction by his personal merit, and still more by the love Charles the

[6] The fiefs, and the offices, were not always united. Thus Hapsburgh, Nidau, Zæringen, &c. were indeed hereditary Seigneuries, but only titular counties and dukedoms.

CHAP. II.

Bald bore to his sister Richilda. This monarch conferred on him the government of Provence, the county of Vienne, and the Abbey of St. Maurice in the Valais. The count, by a stratagem, obtained likewise the hand of Hermengard, the daughter of the Emperor Lewis the Second. No man arrives at such pre-eminence by his own dexterity, but knows how to avail himself of it, for further aggrandizement. Accord-

879. ingly, at an assembly of the lords spiritual and temporal of Burgundy, held at Mantala,[7] it was decreed that, there being, in fact, no king in the realm, and insufferable abuses of every kind prevailing throughout the country, the crown should be tendered to Boso, whose firmness of conduct had inspired them with confidence. This defection was the first step to the decline of the Carlovingians. The new king, not contented with the right he derived from the election, obtained the solemn investiture from the Emperor Charles the Fat.

He resided at Arles, whence the kingdom, which comprised only Dauphiné and Provence, took the name of Arelat; and dying, after a reign of nine years, transmitted his crown to his son Lewis, a minor, under the guardianship of Queen Hermengard. This Lewis had no successor to his crown.

Meanwhile appeared Rudolph, a Suabian count, of the celebrated Guelphic race, whose father had held some high offices and estates in the Jura, and resolved to avail himself of the distracted state of the country, and of the friendship of many lords and prelates, particularly the Bishop of Sion, to acquire

888. a crown. He called an assembly at St. Maurice, and was there declared King of Burgundy. The Burgundian Helvetia and

7 A castle not far from Vienne, which no longer exists.

Savoy, were among the most valuable of his dominions. To these his son, Rudolph the Second, added the kingdom of Arelat, and some provinces of Italy. This second Rudolph was the husband of Bertha, the daughter of Burcard, Duke of Suabia; one of the brightest examples of domestic virtues on a throne. His grandson, Rudolph the Third, closed this royal line. His profusion, chiefly to convents, left him so destitute, that he was deemed the most needy sovereign in the world. He knew no better way to extricate himself from his difficulties, than by bequeathing his kingdom to the emperor, Henry the Second, of the Saxon line. He was strenuously opposed in this testamentary disposition by his kinsmen, who were unwilling to forego their right of inheritance; and by his nobles and prelates, who revived their claim to the privilege of election to the crown: but the emperor sent forces under Werner of Hapsburg, Bishop of Strasburg, who beat the Burgundians near the lake of Geneva, and compelled them to acquiesce. He sent Beroald, a Saxon nobleman, as his vicegerent, to Arles; and named Hugh, the son of Rudolph,[8] to the Bishopric of Lausanne. He died before the legacy devolved to him; and Conrad the Franconian, his successor on the Imperial throne, maintained that the bequest was made, not to Henry personally, but to the empire. On the death of Rudolph, the emperor accordingly possessed himself of the kingdom of Burgundy, and of all its dependencies. All Helvetia now owned the supremacy of the empire.

1024.

1032.

Most of the writers who have related the history of this country, have thought fit to enter largely into a detail of the

[8] Mollis et effeminatus.

CHAP. II.

succession, the few virtues and many crimes,[9] the dissensions and disasters of the princes of the Houses of Gundioch, Clovis, Pepin, and the Burgundian Rudolph. Their deeds no doubt influenced materially the fate of the inhabitants in the Alps, and on the Aar: yet as their origin, the seat of their government, and their policy pertained chiefly to other nations, it may suffice for the purpose of this narrative, to survey briefly what remains upon record of the form of government, and the laws which prevailed in Helvetia, in those days; of its civil and religious establishments, which in fact supply the materials of the sequel of this history;[10] and of the manners and customs of its people, not wholly uncivilized, though unrefined, which ultimately led to the recovery of their independence; and the departing from which contributed to the final dissolution of the Confederacy, to which they have owed so many tranquil and happy days.

Form of government.

The Burgundians came to an agreement with their Merovingian conqueror, 'That they would bear him the same 'allegiance they had till then professed for the princes of the 'House of Gundioch; that they would follow him in his wars, 'but that their bands should never be separated in the field; 'and that their rights and property, both as a nation and as 'individuals, should be preserved inviolate.' They still, according to their ancient custom, elected their king, who was

[9] Their crimes, in fact, were no less atrocious than those of the Atrides; and would have become as eminent, had they, like these, been celebrated by a sublime poet, in a harmonious language.

[10] The account to be given of these establishments, will be reserved for the next Chapter, in order to connect all that relates to them, down to the æra of the Confederacy.

supreme in civil and judicial matters; but they engaged to chuse him out of the house of Clovis. They also named their military leaders; in the choice of whom, while the nation continued to be an army, they proceeded with greater caution; deeming the talents required for the conduct of a war, far superior to those that constitute even the ablest civil magistrate. They long contended for these rights of election; but crafty and despotic monarchs, who were irresistible by the possession of other extensive dominions, found little difficulty in occasionally suspending, and ultimately abolishing the privilege of chusing the king; and they, moreover, soon arrogated to themselves the sole command, when the people were called to arms.

Notwithstanding these encroachments, the power of the monarch did not continue long without control. The sceptre soon fell into weak hands; and the nobles, especially those who held high offices, or delegated authority in the provinces, found it easy to restrain even the limited power the ancient constitution had vested in the king. Pepin and Charlemagne, after having availed themselves of these successful intrusions, saw the expediency of lessening the means to which they, in a great measure, owed their own aggrandizement. They abolished the office of duke, increased the number of counts, but confined within narrower limits the districts they were appointed to administer; they also often employed ecclesiastics, who owed their benefices, and looked up for further advancement, to the royal favour, both in civil and judicial departments.

But a despot never slackens the reins of government with impunity. Even this diminished influence proved too ponderous for the unsteady hands of the descendants of Charles; nor

CHAP. II.

were the dignified clergy behind hand in assuming a predominancy, and accumulating stores of riches, which they had abjured in their sacerdotal vows. The rising authority of the Roman Pontiff, became also a weighty counterpoise to the regal power. Great, and in many cases no doubt, just censure has been past on the improper use the Popes have made of their spiritual weapons: but candid observers will nevertheless admit, that these weapons have oftener been used for the benefit than the detriment of the nations who acknowledged their influence. Without the papal interference even Britain might not, perhaps, have been blessed with the great charter of its liberties. Had the hierarchy at all times used its means with the wisdom and moderation that becomes the order, it might, in our days, have stemmed the torrent of desolation and anarchy that has overwhelmed the fairest parts of Europe. The government of Helvetia, after the ninth century, had far less of monarchy than of the aristocratical form; and the prelates had an ample share in the power of the nobles.

Laws.

Two codes of law extended their ordinances over this country, the Burgundian, and the Alemannic. They reciprocally arose out of, and influenced the manners of the two nations; and may hence serve for a key to many customs that prevailed among them. The former exists in the acts of the assembly at Ambieu,[11] and the decrees of Childebert, King of Austrasia.[12] The kingdom, according to these, was divided into hundreds,[13] perhaps because each of them was administered by one of the hundred counts of the province,[14] or because a

1 Burgundian.

[11] v. Lex. Burgund. Apud. Lindenbr. Cod. Legg. Antiquar. præf. [12] He died in 596. [13] Centena. [14] Such perhaps as Tacitus describes, "Centeni singulis ex plebe Comites, consilium simul et auctoritas, adsunt." Germ. c. 12.

community of one hundred heads of families was, in case of a robbery, bound to find the thief, or to refund the theft.[15]

The head of each hundred was maintained by his community, which also lent him aid in case of public disturbances. In intricate cases (for no great acuteness was expected from a Burgundian[16]), an appeal was made to God, who decided either by the ordeal of an heated iron, or the issue of a duel. An oath was the chief link of society, and has continued to our days the most sacred bond of union of the Helvetic states. The laws against theft were framed with peculiar severity.[17] A fine and restitution were the penalties in common cases; but if the thief could not discharge the fine, he was hanged as a worthless recreant. A venal magistrate, who unduly acquitted a robber, was put to death. The ancient custom of expiating a murder by a pecuniary mulct, was abrogated. Private revenge was tolerated; and the seducer of a free damsel, if he could not pay a heavy fine, was delivered over to her relations, to be dealt with in the manner that Fulbert chastized the lover of Heloise. A bondman who cut off the hair of a free woman, was by these laws sentenced to die.[18] No man was allowed to alienate his paternal estate. All the children shared alike in the inheritance; but a nun

[15] Such were also the institutes of Alfred.

[16] The stupidity of a Burgundian was proverbial. Berenger of Tours gravely calls in question, whether genius ever found its way into Burgundy.

[17] Uncivilized nations are ever prone to theft. The instances in Cook's voyages are innumerable; and even among the Pelewans, a race represented to us as singularly honest, it is acknowledged that the British sailors found it necessary to keep a particular guard upon their stores.

[18] As the Lombards were since distinguished by a peculiar cut of their beards, so was a long head of hair a badge of high descent among the Franks.

CHAP. II.

had only a life interest in her portion. Wives, as is general the case among savages, were purchased of their parents: those who deserted their husbands, were suffocated in a boggy pool. Men might put away their wives for three reasons: for adultery, for poisoning, and for disturbing the dead by sorcery. A reward was stipulated to soothsayers, who revealed places where stolen goods were hidden. When we read that one who had stolen a dog, was bound to kiss its posteriors before a public assembly of the people, we must allow that these lawgivers were destitute of the due sense of dignity, which, among the ancients, had been the secret spring of their wise legislation.

The king's counsellors, his friends, the mayors of the palace, the chancellors, the counts of the cities and provinces, and the other magistrates and chiefs both of peace and war, were deemed the first nobility: the body of freemen composed the second rank: those born in bondage, who, having acquired their freedom, held lands in base tenure, were of the third: and the slaves, or bondmen, constituted the fourth, or lowest order. The bulk of the people were in general annexed to the glebe; an expedient, without which the wandering tribes would perhaps never have become stationary. The king's immediate bondmen ranked with the freemen, and those whom he manumitted with the nobility. The counts administered justice without any fee or reward; but they held lands, which were appropriated to their respective offices. The king, in consideration of his general superintendance, received the fines of all his vassals; but these fines were limited by the laws.

2 Alemannic.

Among the laws which the Alemanni had devised in the early times of their obscurity, those which seemed most

equitable, and congenial with the spirit of Christianity, were successively collected by Childebert and Clothair; and lastly, formed into a code by Dagobert.[19] As they sprung from the habits of a people chiefly addicted to arms, they were far less complicated than those of Rome, which had to guard against all manner of fraud and subtilty. They consisted chiefly of short prohibitions against acts of violence. No man was hence permitted to come armed into the house of another. An injury done to a woman was punished by a double fine; for men, it was thought, have the means of self-defence. These laws related more particularly to the personal and domestic concerns of the people, their bullocks, their cows, their horses, their bears, on which they fed with as much relish as the other Germans were wont to do on horse flesh, their stags, which they trained for the chase, their shepherds' dogs, their blood hounds, and the dogs they kept for hunting wolves and bears, and for running to the assistance of neighbours in case of need. If a dog killed a man, the owner paid half the sum at which the life was rated; and if he refused payment, the dog was hung in his door, and no other entrance was permitted into his house until the decayed carcase dropped of its own accord. Few of their punishments were capital, for the lawgivers were aware, that the frequency of bloody executions would only foster the sanguinary dispositions of the people, which they wished to soften; and because property is, in fact, dearer to a rude people than life itself. The Alemanni, like the Burgundians, had likewise a succession of subordinate ranks. Next to the dukes and counts, they

[19] v. Lindenbrog. Goldast. and Baluze

CHAP. II.

had freemen, either by birth or manumission, mercenary servants, and slaves. The latter ploughed, for their own use, one half of the land allotted them, and the other half for their masters. The maids spun wool, wove cloth, and made it into garments. They had as yet no vineyards: fewer of the shepherds than of the husbandmen were slaves; for the German shepherds had subdued the Roman husbandmen; and hence, to this day, are the pastoral tribes of the Swiss possessed of a far more independent spirit, than those among whom husbandry prevails. Coercive laws controlled the public conduct of this hardy people: their private life was restrained by the salutary terrors of the church. The neglect of public worship on Sundays was severely censured. Men were not allowed to spend whole nights in the loose pleasures of the bottle and the song; and when female dancers came on Sundays to the farms and hamlets, they were driven away with heavy blows. And yet the laws, as well as the church discipline, admitted of abundance of rural and domestic enjoyments. Life was not intended to be a gloomy, but an orderly state of existence. The churches were sacred asylums for servants. Pious gifts were authorized; and the alienation of church property was strictly prohibited. The bishops ranked higher than the counts, and were nearly equal in dignity to the dukes. Barbarians, whose reason is apt to be perverted by stubborn passions, must be influenced by leaders, either eminent in rank like the dukes, or venerable like pious hermits.

A new statute

At a subsequent assembly of the lords spiritual and temporal, held at Paris,[20] it was further enacted: That all bishops

[20] Anno 615. This assembly is known by the name of Concil. Paris v.

be chosen by the clergy of the diocess, and consecrated, under royal sanction, by the archbishop, in the presence of all the suffragans of his province: that no one presume to skreen or abet a priest against the authority of his bishop: that in all matters both civil and criminal, the clergy be amenable to the laws; but that a certain number of their order be annexed to the tribunal before which they were to be tried: that in all causes between priests and seculars, an equal number of jurors be selected from both orders: that all the recent taxes be abrogated: that none but natives be sent as governors or delegates into the provinces: that every individual be indemnified for any damage he may sustain from undue extortion: and that every man be protected in the peaceful enjoyment of his rights and property.

Manners.

Such laws, duly administered, could not fail to promote the permanent felicity of a country: and accordingly we find, that from this time, the Helvetic tribes became more stationary; that they improved their agriculture, and studied the comforts of life. The wastes and deserts among the remotest Alps, and up to the farthest boundaries of animated nature, assumed a more smiling aspect. Forests, however, still prevailed; but they gradually made room for castles, convents, and solitary mansions, with each an appendage of cultivated land. Of cities, or large townships, there are few traces within this period. The dukes and counts, as well as the king, subsisted on the produce of their lands, the culture of which they personally superintended. This occasioned a frequent intercourse with their inferiors: and the great Charles, at the same time that he was enacting laws for the most extensive monarchy since the fall of the Roman empire, regulated the price of

CHAP. II.

eggs at his farms, and wore garments made by his wife. The nobles maintained a convivial intercourse. Their visits and meals began with friendly embraces: the table was spread with rich carpets, and, especially in the great abbeys, often with massy plate. The viands were distributed in large pieces, out of capacious bowls. The guests consumed much bread and cheese, but less wine[21] than beer and mead. They danced at their feasts, but ever observed a strict decorum. Great families prided themselves in stores of gems, plate, and embroidered garments, which they hoarded through many generations; and fondly boasted of them when at a banquet, a wedding, the knighting of a son, or the funeral of a kinsman, the noble matron brought them forth from the great iron chest, and displayed them in the spacious hall.[22]

The peasantry in the plains between the Alps and the Jura, were chiefly tenants of some lord or monastery. Each husbandman who offered to settle on their lands, received a house, wood, a plough, a waggon, a team of four oxen, a sow, two pigs, a cock, two hens, a sickle, an axe, a hatchet, and seed for spelt, oats, hemp, millet, beans, pease, and turnips. The annual rent was invariably fixed; and it was paid in kind,

[21] Wine was so valuable an article at this time, that the monks of St. Gallen having received a present of a cask, were thrown into the greatest consternation on hearing that it had fallen into a pit, and that the wine was in danger of being lost. After much deliberation, all human means appearing inadequate, they went forth in solemn procession, walked round the pit, and sang devoutly, "Good Lord deliver us!" Full of confidence, they now made a joint and successful effort; and having safely lodged the cask in their cellar, they chaunted a joyful Te Deum: with more reason, no doubt, than we are apt to do after a bloody victory.

[22] There are natives of Swisserland still living who remember such primitive customs.

together with a certain proportion of labour. Each spring and autumn he was called upon to till a certain number of arces for his landlord; he was bound to carry messages between the Aar and the Reuss; to fetch wine out of the Brisgau and Alsace; to entertain strangers three times a year, and to perform watch one night in the year, for which he was allowed a glass of beer, and half a loaf of bread. He who had the greatest number of children, was generally the most thriving farmer; for their hands earned more than their mouths consumed. No sooner had the pastures in the spring resumed their luxuriant verdure, and the new crop of wool been delivered in by the shearers, than the cattle were collected from all parts, and driven with jovial festivity into the Alps. He to whom twelve farmers entrusted their cattle, was called a master shepherd. In the middle of summer, all the proprietors resorted to the mountains, settled the proportion of the produce due to each, and spent some days in rural sports and conviviality. The landlord, on every St. Andrew's day, received his rent in cheese, whey, beasts for slaughter, skins, felts, cloth, linen, nuts, and other fruit.[23] The wool and skins were manufactured in the country; and homespun cloth was the general wear of every class. Attempts were made to introduce tillage in the higher valleys, among the Alps, but the climate was found too sharp for wheat. Berklinda, a lady of large property, was at this time in great repute in the neighbourhood of Muri. Her bull, her ram and boar wandered freely over all the adjacent fields and gardens, for they were the only ones at that time in the vicinity. Her large grazing

[23] This statement is chiefly collected from the register of the abbey of Muri, in the Argaw.

CHAP. II.

farm at Bolliken, boasted of franchises equal to those usually granted to churches. Such rural opulence is ever attended with a degree of patriarchal dignity, which wealth, acquired by deep speculation, or mean servility, scarcely ever obtains, though it be lavished ever so profusely.

Among the lower classes of men, the shepherd of the Alps was distinguished by his lofty stature, and uncommon vigour. His spreading beard covered his hairy breast; and his mien and features expressed such a conscious superiority, that the proudest lord, when he met him, could not refrain from bowing to him. Besides superintending his cattle, he was likewise a hunter, a husbandman, and a soldier.[24] Sometimes he even owned lands of independent tenure. Each of them manufactured his own implements. He was hence, no doubt, less dextrous than our artists in any one craft; but no man is now so variously skilled as he was. He knew moreover how few and limited are the wants of nature, and hence he derived his independent spirit.

Such were, in the days when Bertha spun the garments of her royal consort and progeny, and visited her tenants on horseback,[25] the simple manners of both the Burgundians and Alemanni, in Helvetia. Our age may no doubt boast of more extensive knowledge, and more refined improvements: we are better acquainted with the East Indies; the West Indies

[24] Many instances are recorded of the prowess of the Helvetic soldiery in the service of their sovereigns; but, except in repelling the attacks of some Lombard, Saracen, and Madschar or Hungarian invaders, they never fought in their own cause.

[25] The proverb is still in use; *Ce n'est plus le tems ou Berthe filoit.* On a seal of hers, she is represented spinning on her throne. Her saddle is still preserved at Payerne.

are our own; but they knew how to enjoy the gifts of nature that surrounded them. Travelling was then both difficult and dangerous: these people therefore remained at home, improved their native soil, preserved their candour, and loved their friends. Writers of eminence have of late extolled, in glowing colours, the benefits of social virtues, and the charms of general philanthropy; while depraved manners and selfish passions, have overspread the earth with cruelty, injustice, and desolation.

## CHAP. III.

### *Helvetia under the Germanic Empire.*

CHAP. III.

THE Emperor Conrad the Salic, had a long contest with Odo Count of Champagne, a near relation of the deceased Rudolph King of Burgundy, who, with great valour, defended his claim to that crown. The event of the war proving indecisive, Conrad assembled at Payerne all the lords, whom either hope or fear had secured to his interest, and accepted from them
1040. the crown of Burgundy, as a gift of their free choice. He even allowed himself to be elected a second time at Geneva, and was there solemnly crowned by the archbishop of Milan. The times however were still so calamitous, so full of faction and animosities, that the prelates thought it incumbent on them to interfere; and having assembled at Romont, in the Pays de Vaud, they agreed that on the days and seasons which our Lord had sanctified by his birth and passion,[1] no Christian should, under heavy ecclesiastical penalties, raise his arm against another Christian. All Burgundy accepted this salutary ordinance, which, being considered as a gift of heaven, was called the *Holy Truce*.[2]

[1] Every week from Wednesday evening to the next Monday morning; and every year from the first Sunday in Advent to the Octave after Epiphany, and from the Septuagesimal Sunday to the Octave after Easter.

[2] Treuga Dei. v. Du Cange in Voce.

After the death of Odo, who fell in a battle near Bar, Conrad finding himself in the quiet possession of the kingdom, assembled a diet at Soleure, where he revived the coercive laws which, during the two preceding reigns, had been greatly relaxed; and having abdicated the crown of Burgundy, he caused his son Henry to be elected in his room. This Henry, 1038. soon after, became also possessed of the Imperial dignity, and of the kingdoms of Germany and Lombardy; and reigned unrivalled from the Tyber to the Oder, over the fairest and most populous parts of Europe. To the short period of internal tranquillity that now succeeded, are to be ascribed the foundations of many convents in the wildest regions, and the origin of many castles on the most secure and pleasant spots of this highly diversified country.

The most prominent feature of the reign of Henry the Fourth, his son and successor, was the incessant struggles between the Imperial and Papal authorities. Gregory the Seventh[3] issued severe decrees against simony and fornica- 1075. tion. By the former he meant to abridge the laity of their patronage over ecclesiastical benefices, and the object of the latter was to prohibit the marriage of priests: both manifestly aimed at strengthening the hands of the hierarchy; but Henry saw with a jealous eye the altar rising to a level with the throne. The many nobles, prelates, and heads of religious communities, who had by this time assumed the chief ascendency in Rhætia and Helvetia, were, either personally or officially, too deeply concerned in these disputes not to espouse

[3] The celebrated Hildebrand.

CHAP. III.

the cause of either party. Other wars are usually carried on by soldiers, and extend over a few provinces; but religious contests excite the zeal, and stimulate the ardour of every individual of either sex, of every age, and of all conditions. The conflict became general throughout the country. But before this history proceeds, it may be proper to take a retrospect of the origin, progressive aggrandizement, and fluctuating fortunes of the most considerable families, religious foundations, and municipal establishments, which now began to influence the fate of this country, much more than the destinies of the monarchs, who still pretended to hold it under their paramount authority.

1 SECULAR LORDS.

The first who is said to have transmitted his office as well as honours to his posterity, was Victor, a man of high birth, and great influence and property near the sources of the Rhine, whom one of the first kings of the Franks appointed Count of Coire, and President over Rhætia. From him descended six presidents and four bishops, who, in the course of two centuries, administered all the civil and ecclesiastical affairs of this province. Thello, Bishop of Coire and President, was the last of the race; and dying without heirs, bequeathed most of his property to the see of Coire, and the abbey of Disentis. Charlemagne, consistently with his crafty policy, abolished the office of president, and transferred the best part of the authority annexed to it, to the succeeding bishop, whom he knew to be the creature of his own hands. The military command he shared among several counts, who, being generally at strife among themselves, were little able, and still less inclined, to give umbrage to the sovereign.

The Presidents of Rhætia.

CHAP. III.

The Counts of Lenzburg.

In the Gaster,[4] between the lakes of Wallenstadt and Zuric, were several estates, which had been conveyed, by the marriage of Enna a Countess of Coire, to a noble family, which being probably descended from the Lenzii, an Alemannic tribe, had given to the castle they afterwards built in the Argau, the name of Lenzburg. The great benefits they conferred on their dependents, were amply requited by the love and gratitude of the prosperous people; and they, by acts of kindness, established a firm and permanent ascendency over their own extensive, and many neighbouring domains. They enlarged the monastry at Schennis in the Gaster;[5] and gave rise to many new towns, castles and convents in the valleys of Schwitz and Underwalden, and on the lake of Zug. The line became extinct; and the rich inheritance of its allodial estates devolved to the Counts of Kyburg.

Of Kyburg.

Among all the nobles who during the reigns of the Carlovingian princes had assumed a preponderancy which nearly eclipsed the throne, none were, for a time, more eminent than the Counts of Kyburg. They were descended from an illustrious race of Alemannic origin, which formerly resided at Altorf in Suabia, the family seat of the Guelphs; and are said, like those of Lenzburg, to have come into Helvetia across the lake of Constance. Their liberality endeared them to the people of Thurgau, where, on the projecting brow of a high mountain on the river Toss, they built their castle; and during the reign of Charlemagne erected, on the island of Rheinau,

[4] A valley so called from the *Castra Rhætica*, which had been established there by the Romans to curb the savage inhabitants of the higher Alps.

[5] Founded by a Count of Coire, in the year 806.

[6] Anno 1179.

CHAP. III.

the convent of St. Findanus. They owned likewise the town and castle of Dillingen on the Danube. They obtained great opulence by marriages; and an emperor is said to have granted to Count Ulric, large possessions in the Thurgau, as a recompence for having freed him from a competitor to his crown.[7] Under the appellation of Landgrave of Thurgau, they ruled with supreme authority over the whole district from the river Glat to the Rhine, and from the Aar to the lake of Constance. After a long and glorious succession, Count Hartman died without male issue,[8] and all his fair possessions descended to the house of Hapsburg Lauffenburg: but to this day, do some of the greatest potentates in Europe pride themselves in the addition of Kyburg, to their other numerous and splendid titles.[9]

Of Hapsburg.

Guntram, a count of an ancient family in Alsace, having engaged in an unfortunate contest with the Emperor Otho the First, forfeited all the Imperial fiefs he held in that province, and retained only some hereditary estates in the Argau.[10] His ancestors had boasted of ducal honours, and exercised great power as Landgraves of Upper Alsace: they had received from the new kings of Burgundy almost the whole of the Erguel.[11] His posterity have since been obeyed by the nations

[7] The assassination of Lambert King of Italy, and rival of the Emperor Arnulph, is an obscure, and by no means well authenticated transaction.

[8] Anno 1264.

[9] Austria and Spain.

[10] The world abounds with pedigrees of the house of Hapsburg. The Monk Herrgott published one, in three large folio volumes. When adulation rose in proportion to the magnitude of its object, it became an easy matter to trace the descent of this family up to Scipio, Hector, Cham: and why not up to Adam?

[11] A large district of what has till lately constituted the Bishopric of Basle.

on the Po, the Danube, the Tagus, the Indus, and among the Cordilleras. But Guntram was at this time so reduced that he did not think it beneath him to harrass the inferior nobility, and oppress the industrious peasants on his small domain. He gradually claimed as dues, services which had occasionally been rendered him as voluntary compliances; and he even, without any prescriptive right, exacted stated contributions. The 946.
free born inhabitants of the neighbouring village of Muri, who thought themselves aggrieved, remonstrated with his son Lanzolin; but this successor continued the vexations practised by his father: he promised them his protection, but seized on their lands and houses, because they would not, on all occasions, pay implicit obedience to his commands. Thus do pro- 991.
tectors frequently support the feeble and credulous. The same people, accompanied by two nuns, came to Radbod, the son of Lanzolin, the seventh ancestor of the great Rudolph, and still claimed redress: but he also was true to the maxims of his progenitors, and drove them from his presence with harsh 1020.
rebukes. He built the castle of Hapsburg on a woody eminence rising on the plain which had once been occupied by the Roman colony of Vindonissa. He omitted nothing that could contribute to the strength and security of this important seat, which stood in the centre of his patrimony. Hence, from the great hall in the tower, he viewed around him many castles, hamlets, and dwellings of kindred nobles, retainers and vassals, whom by hospitality and largesses, which he was enabled to practise by the wealth he obtained from his brother Werner, Bishop of Strasburg, he secured inviolably to the interests of his aspiring race. Some of the descendants of these nobles have reached our times. Two minors of the house of Hallwyl

CHAP. III.

were lately [12] proprietors of the lordship of Farwangen, which their ancestors had obtained from a Count of Hapsburg: the Lords of Luternau survived as citizens of Berne: and some of the race of Winkelried existed still among the common people of Underwalden. Few families can trace their lineage to so remote a period; and the heroes of the names of Hallwyl and Winkelried, have a far better claim to immortal honours, than many of the proudest monarchs; for men like them can only be found at Marathon, and Thermopylæ; at Sempach, and Morat.

Four generations succeeded to Radbod, which produced no men of any eminence either for virtue or demerits. Rudolph, his fifth descendant, appears to have recovered the Landgraviate of Upper Alsace; and, among many other territorial acquisitions, he likewise held the county of Lauffenburg on the Rhine. As he had ample power to screen the defenceless, many convents and lay proprietors, up to the entrance into
1232. the pass of St. Gothard, placed themselves under his protection. His two sons, Albert [13] and Rudolph, shared the inheritance between them, and formed two distinct branches; the former retained the name of Hapsburg, which was also distinguished by the additional appellation of Altenburg; and the latter assumed the title of Lauffenburg. A grandson of the last mentioned Rudolph, married the heiress of the Count of Rapperswyl, and his second son, Everard, obtained in marriage the heiress of Kyburg, and was the founder of the line of that name: hence did all those ample domains ultimately centre in the house of Hapsburg. John the sixth descendant

[12] Anno 1780. When Maria Theresa closed the Imperial line of Hapsburg.

[13] The father of the first King of the Romans of this race.

CHAP. III.

from Rudolph of Lauffenburg, had no sons. He accepted of a sum from his kinsman Leopold, of the Altenburgh line, then Duke of Austria, and made over to him all his possessions. 1386. Thus did the Austrian branch succeed to all that their oppressions had not forfeited of the territories of their house, which once extended over the greatest part of Helvetia.[14] Few virtues, and a still smaller share of magnanimity, but a happy coincidence of circumstances, and above all an inflexible adherence to a system of aggrandizement, have since raised this house to the highest rank in the Christian world.

Dukes of Zæringen.

The castle of Zæringen stood on a hill not far from Friburg, the capital of the Brisgau; and considerable territories in the Black Forest, and in the plains of the Margraviate of Baden, were once its peculiar domain. Berthold, who in the middle of the eleventh century appears as the first duke of this name, is by some reported to have been a third descendant from the abovementioned Guntram of Hapsburg, and nephew of Radbod, the builder of the castle of that name. Berthold had been promised the dukedom of Suabia; but the Emperor broke his promise, and the disappointed claimant vowed vengeance, which in the inveterate wars that succeeded between the Mitre and the Imperial crown, he and his posterity had frequent opportunities of gratifying. The first Berthold was succeeded by a second of that name, whose renown for 1077.

[14] Notwithstanding the diplomatic labours of Herrgott and other genealogists, this whole descent is involved in some obscurity. The Counts of Rheinfelden are mentioned as being a branch of this house, one of whom, Rudolph, contended for the Imperial crown with Henry the Fourth, and from whom, the English Earls of Denbigh claim their descent. There are some doubts that they were of the house of Lenzburg, and not of Hapsburg. The title of Rheinfelden was once borne by the Dukes of Zæringen.

CHAP. III.

valour, benignity and justice, had endeared him not only to his own kindred and vassals, but also to all the nobles of his party, who considered him as their friend and leader. Whenever a messenger brought him disastrous tidings, if he saw him faulter, he would encourage him by his own firm aspect: 'Speak out,' he would say, 'do I not know that life is chequered with blessings and misfortunes?' This testimony is given by a Guelph,[15] of a Ghibelin. In fighting for the Pope, he had at the same time to contend for his own patrimony, and for the office of Landgrave, which his father had held before him. Amidst a variety of alternate fortunes, he succeeded however in recovering all his hereditary estates, which the emperor had granted away from his family to the Bishoprick
1090. of Basle. In an assembly of the nobles of Suabia, at Ulm, he was chosen duke of that province; but he found a formidable competitor in Frederick of Hohenstauffen, who claimed the office in right of the emperor's nomination. The competition lasted several years; till at length Berthold, commiserating the calamities which had long desolated his and the neighbouring countries, resolved to sacrifice a precarious aggrandizement to the blessings of peace and public welfare. After a contest of seven and twenty years between his house and the Emperor Henry the Fourth, he repaired to the Imperial court
1097. at Mentz, and there surrendered the Dukedom of Suabia to his rival. He received in return the Advocacy,[16] and all the

[15] Otho of Friesingen. L. i. c. 8.

[16] This appellation must often occur, and requires some explanation. The ecclesiastical establishments not being in general sufficiently armed against external violence, found it expedient to have secular protectors, on whom they could rely for safety and defence. They of course chose some powerful lord; and these in their turn,

Imperial prerogatives over the city and minsters of Zuric, and their several dependencies; the first step towards the beneficent influence which the house of Zæringen acquired in the sequel over the greatest part of the Burgundian Helvetia, of which so many incontestable monuments have reached our days. CHAP. III.

A third Berthold followed next, of whom nothing memorable is recorded, except that he built and enfranchised the city of Friburg in the Brisgau. He was assassinated; and, leaving no male issue, was succeeded by his brother Conrad. Lotharius of Saxony, the reigning emperor, had a warm contest with Renaud Count of Chalons, for the succession of Burgundy, the conduct of which he committed to this duke. Conrad seized the count, and led him to a diet at Strasburg, where, an accommodation having taken place, by which the whole of the Helvetic Burgundy was confirmed to the emperor, he was entrusted with the administration of that province as Imperial Vicegerent,[17] which office continued in his family down to his last descendant. 1111. 1123.

He was succeeded by his son Berthold the Fourth. The

as the office conveyed much power and influence, were ever solicitous to obtain it many even succeeded to make it hereditary. In German the officer is called *kas vogt* or *schirm-vogt*, which in some Latin muniments is sometimes rendered *castaldu* but more commonly *advocatus*. The words *advocate* and *advocacy* are hence adopte in this work, though by no means the most appropriate terms. Warden, provost, patron, would perhaps have been less exceptionable. The cities and free states, in the infancy, accepted likewise of such protectors, who afterwards often became oppressor The *vicedomini*, *vidames*, or *surrogates*, were lay officers of a somewhat simila though inferior nature. They administered the civil jurisdiction of the whole, or part of a bishopric. This office also often became a permanent fief of inheritance.

[17] In his charters he is often stiled *dux*, and *rector* Burgundiæ.

CHAP. III.

new Emperor Frederick Barbarossa, who, having great projects in contemplation, thought it expedient to court the friendship of this duke, not only confirmed him in his vicarial office, but also added to the Helvetic province the kingdom of Arles, and moreover conferred on him the advocacies of Geneva, Sion, and Lausanne, to which, however, the bishops reluctantly submitted. Willing to promote the security of the people committed to his protection, the duke encouraged the building of towns, which he allowed the inhabitants to surround with walls. He was too magnanimous to take umbrage at a defence which was not immediately derived from his own exclusive power. Friburg on the river Sanen, is the largest city that owes its existence to this beneficent policy: the building of Morges, and the restoration of Yverdun, are likewise
1165. ascribed to him. Berthold the Fifth, his son, adopted the same maxims; and was confirmed in them by the selfish reluctance of the nobles, who saw with a jealous eye, the gradual rise of safe retreats from the power they had usurped. Burgdorf and Moudon are towns of his promotion. But nothing contributed more to his fame than being the founder of the city of Berne, where his memory has, till lately, been revered as a benefactor and a tutelary saint. He greatly encreased the wealth he had inherited from his ancestors, perhaps more
1198. by good fortune, than by means wholly unexceptionable. He was so powerful that the enemies of the house of Hohenstauffen offered him the Imperial crown, which he declined. He had two sons by a first wife, who died infants, some say from poison administered by his second consort, at the instigation of the nobles, who reprobated his partiality for the burghers.

CHAP. III.

Thus ended this illustrious line, than which none has been more beneficial to the countries they governed. Their allodial estates in Helvetia devolved, by the marriages of two sisters of the last Berthold, to the houses of Kyburg and Savoy. The Emperor seized on the cities of Berne, Friburg and Soleure, which were afterwards declared free and imperial: and the Bishop of Lausanne, the Count of Neuchattel, and other neighbouring lords, found means to share some parts of this rich inheritance. The present Margraves of Baden are descended from Herman, a second son of the first Berthold. 1218.

Counts of Savoy

The Counts of Savoy, descended from a Saxon line, traced by their genealogists up to the great Widekind, the rival of Charlemagne, were too opportunely situated not to avail themselves of the means that offered to extend their boundaries within the limits of Helvetia. Accordingly they were early possessed of the advocacy of the Bishoprick of Sion, which the Emperor Henry the Sixth, however, unwilling that the important passes of the Valais should be in any hands but his own, retained, in an agreement he made with Count Thomas. They had also some secular, and perhaps even ecclesiastical authority over the abbey of St. Maurice,[18] the Chablais,[19] and the site of the Equestrian colony.[20] They frequently interfered in the contests between the counts and bishops of Geneva, and hence found opportunities to encroach upon the territories of that city: and Count Peter at length, after the extinction of the house of Zæringen, reduced under his vigorous 1128.

[18] *Ego Amadeus, Comes, et Abbas S. Mauricii,* occurs in a charter.

[19] This province at that time extended down to Vevay in the Pays de Vaud.

[20] The district of Nyon up to Rolle.

CHAP. III.

sway, all the parts in the Pays de Vaud, which the distracted state of the empire could not retain, or were not held by the Bishop of Lausanne. His power, however, was circumscribed by various privileges, both of spiritual and temporal lords, and newly established municipalities; and several domains of the Counts of Gruyeres and Neuchattel, were dispersed within what were deemed the boundaries of this district.

Of Gruyeres.

At the entrance of the Alps, where the river Sanen changes from a torrent into a more placid stream, stands, on a verdant cone rising out of a rich valley, the castle of Gruyeres. The origin of the counts who owned it, is lost in the obscurity of obsolete tradition. Their first wars were with the wolves and lynxes: their mode of conquest was by clearing lands, and raising habitations. Their settlements extended up to the sources of the Sanen, and the craggy path that leads into the Valais; where precipices, cataracts, and perpetual ice and snow, seem to forbid the approach of man. Devout seclusion appears to have been among the first motives that brought inhabitants into this dreary wilderness. The priory of Rougemont gave rise to a long village at the foot of mount Rodomont, where, without the most persevering industry, the scanty soil would
1134. soon be washed down into the torrent. The same counts also founded the abbey of Hautecrest, in a valley where the Alps subside into the less elevated mount Jorat: the Counts of Savoy endowed it with some lands and privileges,
1226. dependent on their castle of Chillon. Count Rudolph of Gruyeres granted Bulle, one of his principal towns, to the Bishop of Lausanne: and his son, another Rudolph, purchased an absolution for sacrilege, by ample donatives to the church.

CHAP. III.

Large districts on either side of the lakes at the foot of the Jura,[21] which had formerly belonged to the Kings of Burgundy, were since possessed by Ulrich, a lord of uncertain origin, who bore the title of Count of Fenils, the place of his residence near Erlach on the lake of Bienne, and of Lord of Neuchattel. Berthold his fifth descendant, assumed the title of count of the latter place. These lords appear to have often administered the county of Bipp. They had also frequently the superintendance over the sees of Lausanne and Basle; the latter of which received from them grants of considerable estates. The advocacy of the rich abbey of Hauterive near Friburg was theirs.[22] Many towns on the lakes, the Aar, and as far as the Sil, owe their origin to them. Many knights, noblemen, and dignified priests, were their retainers. The house branched out in the sequel, and formed the lines of Neuchattel, Nidau, Arberg and Valengin.

Of Neuchattel. 1034. 1240.

The Counts of Rapperswyl owned, from times immemorial, the castle of that name, and extensive territories at the upper end of the lake of Zuric. Their domain extended over th forest, up to the summit of St. Gothard; the pass over which after having rendered it practicable, they wholly command ed.[23] Count Rudolph built a new town of the same name, at the narrowest part of the lake of Zuric, and thereby secured another important pass through Rhætia into Italy. They

Rapperswyl.

[21] The country about the lake of Bienne, once covered with dusky pines, was called *Nugerol*, perhaps from *Nigra Vallis*.

[22] Called Altenryf in most of the maps.

[23] They held the castle of Sillinen, and the tower of Gestinen, on the narrow road to the Devil's Bridge, both which they had obtained from the monastery of Zuric, the owner of the valley of Uri.

CHAP. III.

hence derived much consequence among their neighbours. They had the advocacy over the abbey of Einsiedlen, which they had at different times richly endowed. Their estates at length devolved to the house of Hapsburg Lauffenburg.

Tockenburg, &c.

The Counts of Tockenburg were likewise powerful in two adjacent narrow valleys. They owned also the lordship of Uznach in the Gaster, and considerable estates in Rhætia. Their line became extinct in the fifteenth century, and their county fell to the share of the abbey of St. Gallen. The valley on the Rhine, above the lake of Constance, as far as the present confines of Rhætia,[24] belonged to the Counts of Werdenberg. The names of Thierstein, Froburg, Buchek, and near fifty other counts, and those of one hundred and fifty barons, and upwards of one thousand noble families, occur in the annals of these times; many of whose descendants are still extant. Most of them greatly contributed to the first cultivation of the country, and the subsequent establishment of townships; and have since become conspicuous in the struggles of the people for the attainment and preservation of their independence.

2 Ecclesiastical Lords.

When we read in the ancient annals the names of Bishops of Aventicum and Vindonissa, it is reasonable to infer that the Christian religion had gained a footing in Helvetia, so early as the flourishing times of Rome: but all that relates to the church, preceding the days of Gundioch the Burgundian, is involved in impenetrable obscurity. Since his days we find

Bishops of Lausanne. 590.

Prothasius, Superius, and Marius still occurring with the episcopal title of the restored Aventicum; but the last of these is

[24] The Rheinthal, and the county of Sargans.

reported to have transferred that see to the more alluring site of Lausanne. Ample domains and privileges were bestowed upon this see by the princes of the Carlovingian race, and the subsequent kings of Burgundy. Hugo was the benevolent prelate who summoned the assembly at Romont, which framed 1034. and sanctioned the Holy Truce.[25] Burcard granted to the see sundry estates near Morat, and on the lake of Geneva,[26] and enclosed Avranche with a wall. He had the confidence of the 1089. Emperor; and fell in his cause in the battle of Gleichen in Thuringia. Lambert, a count of Granson, was less solicitous to enrich the bishoprick, than to aggrandize the family of his nephew, the Baron of Blonay, to whom he granted all the espiscopal rights over the town of Vevay, near which, on a hill, the castle from which the baron derived his name stands on one of the most captivating spots on earth.

Amadeus de Hauterive held the bishoprick at the time when Berthold the First, of Zæringen, obtained the Imperial vicegerency in the Burgundian Helvetia, together with the advocacy over this bishoprick. This prelate was held in high estimation by the Duke, and also by the Emperor, and the Count of Savoy, from all of whom he obtained considerable donatives and juridical franchises. He asserted the prerogative of his see against the Count of Geneva, who offered to build a tower on the highest eminence in the city of Lausanne. His award, in a cause between his canons and the burghers of Lausanne, was deemed so equitable, that the record has been long admitted as a permanent law.[27] He bequeathed two

[25] See page 34.

[26] Lutri, Corsiez, Cuilly, St. Saphorin

[27] *Recognitio Arducii, Præpos. Laus.*

CHAP. III.

manors to the see; and on his death-bed he summoned the Lord of Aubonne, who withheld some of its lands, to answer

1158. for his sacrilegious encroachments, before the throne of the Almighty. Landeric de Dornac succeeded, and after him Rogerius, a Tuscan. Both maintained a severe contest with the Dukes of Zæringen concerning the limits of the power of the advocate; during which most of the towers near Lausanne and on the banks of the lake, many of which are still extant, were erected.[28] The feud was not composed till the extinction of the house of Zæringen.[29]

Constance. The legend of Florentius Bishop of Vindonissa,[30] who is said to have suffered martyrdom early in the fifth century, proves the traditional account of the antiquity of this see. There is better evidence that it was transferred to Constance,

611. at the time when Theodobert King of Austrasia, in a war with his brother Thierri, demolished the former city. It became in the sequel one of the most dignified and extensive sees in the Germanic empire, and its spiritual jurisdiction extended far into the Alemannic part of Helvetia; but the vicinity of the abbey of St. Gallen absorbed most of the rich temporal endowments, which otherwise would probably have fallen to the share of this bishoprick.

Coire. Another legend ascribes to St. Lucius, a son to an ideal British king in the second century, the foundation of the bishoprick of Coire; and to his name is, in fact, dedicated the oldest church in this ancient city. At the head, however, of

451. the better authenticated list of bishops, stands Azimus, whose

[28] At Lucens, Ouchy, Chebres, Courtille, &c.

[29] At the Reformation, this bishoprick was transferred to Friburg.

[30] The same Florentius is by Sigebert also called *Episcopus Sedunensis.*

name is found among the prelates who attended the council of Chalcedon. Paschal, of the family of the Victors, was, in the eighth century, at the same time bishop of this see, and husband to Æsopia,[31] of a noble indigenous family. They, and their son Victor, who succeeded in the bishoprick, founded the monastery of Catzis, and contributed largely to the cultivation of the valley from whence they derived their origin.[32] Thello was the last bishop of this race, and endowed the see with many and large domains all over Rhætia. To these was added by Charlemagne the highest secular power. Except a son of the Emperor Frederick the First, no advocate appears to have ever interfered with its prerogatives; insomuch that, as may be gathered from many acts of feudal supremacy still in force,[33] the Rhæti could scarce look up to any sovereign but the bishop. He had many contests for the maintenance of this pre-eminence; but the Reformation was the blow to which he was at length compelled to yield a great part of his wealth and consequence. 760.

The bishoprick of Sion yields perhaps to none in point of antiquity. After the legendary founders, we find two Bishops of Octodurum mentioned as having attended several councils.[34] Sion.

[31] She was likewise called *Episcopia*, and has been stiled *Antistia Curiensis*.

[32] *Tomiliasca* or *Domestica*, perhaps comparatively so called from its vicinity to some of the most dreary spots in nature. In this remote valley, not above five miles in length, are no less than seventeen ancient castles.

[33] The house of Austria to this day hold certain fiefs from the see of Coire, for which they perform, by deputy, the office of cupbearer to the bishop. The office of marshal, is appropriated to an ancient indigenous family of the Engadine, who long possessed considerable feudal tenures under the see.

[34] Constantius, anno 497; Rufus, anno 540. Octodurum is the present Martigny, and may have been an occasional residence of the early bishops, who at other times are called *Sedunenses*.

CHAP. III.

The Emperor Charlemagne, and those of his successors who knew the consequence of this important station, thought it more expedient to aggrandize the bishop, than to entrust the command of the passes into Italy to laymen, who would not fail to convert it to the advantage of their families. Even the Dukes of Zæringen, on whom the advocacy had been conferred by the Emperor, and the Counts of Savoy, who had greatly extended their influence in these parts, refrained from contending with the bishop for ambiguous prerogatives. He was constituted Count and Præfect of the Valais; was authorized, in case of need, to raise forces, to lay on tolls and imposts, and to hold courts, before which he had the right to summon even the free barons within his jurisdiction.

Geneva.

Proofs are not wanting that the bishoprick of Geneva is of so early a date as the fourth century. The counts of that name, who, during the feeble reigns of the last Kings of Burgundy, rendered their power hereditary, maintained a constant strife with the prelates, concerning the limits of their respective rights. At one short period when Aymo was count, and Guido his brother held the crozier, not only were the feuds
1110. suspended, but many of the unquestionable appurtenances of the church were freely sacrificed to fraternal kindness. Humbert de Grammont, the successor of Guido, claimed the full restitution of all that had been thus alienated; and, under the authority of a legate, a compromise was made, which has
1124. been long considered as the code of laws, in all concerns that related to the rival powers of the count and bishop. Aymo swore fealty to the bishop, as to his liege lord, and was constituted the criminal magistrate of the episcopal jurisdiction; with limitation, however, that he should try no culprit who

had not been officially presented to him; that he should not reside at Geneva without the bishop's consent; nor ever resume any fief granted by him to an ecclesiastic, as long as the bishop defended the grant.

The Duke of Zæringen having obtained the Imperial Vicegerency in the Helvetic Burgundy, aware of the importance of the pass of Geneva, conferred the advocacy of that see on Count Amadeus, grandson of Aymo, who had extended his power far along the northern banks of the lake. Arducius of Faucigny was then bishop. He strenuously asserted his prelatic supremacy over the city, and the episcopal domains. After having repelled various daring attempts of the count, he repaired to the Imperial court, exhibited his titles, and obtained an award, which decreed that his see should have no advocate but St. Peter;[35] that he should depend solely on the 1162.
Emperor; and that whenever this monarch came to Geneva, a three day's litany should be sung for the prosperity of the holy Roman empire. Thus was Arducius confirmed as supreme Lord of Geneva,[36] immediately under the empire: and it had, in a former agreement, been stipulated, that the count should be a faithful advocate under the authority of the prelate.[37]

Arducius was still bishop when Count William, son to Amadeus, fortified his castle on an eminence in the city, and betrayed a disposition to renew the contest with the see. 1185.
Nantellin succeeded the venerable Arducius: he summoned the count before the Imperial court, who, after having made

[35] The patron of Geneva.

[36] *Supremus Dominus atque Princeps.*

[37] *Comes fidelis advocatus sub episcopo esse debet.*

CHAP. III.

his appearance, and found that the decision was likely to prove unfavourable, absconded, and by this contumacy suf-

1186. fered a severe sentence to be passed against him. The crusades having about this time engrossed the attention of all christendom, the bishop suspended the execution of the sentence, and soon after agreed to an accommodation, which was reciprocally confirmed by oaths taken at the altar of St. Peter. He asserted his supremacy: but his princely power began gradually to decline; the people in all these struggles having made considerable advances towards independence, and the emperors also being bent on objects of far greater magnitude than the trivial concerns of this see, and its contentions with

1206. the count. Bernard Chabert, the next bishop, revived his claims, and insisted upon the execution of the sentence; to enforce which, he called in the aid of Thomas Count of Savoy, who gladly embraced the opportunity of extending his frontiers towards Geneva. Peter de Sessons, the successor of

213. Bernard, conferred great benefits on the city, and enriched the bishoprick; but he was inconsistent: he neglected the sacred functions of his office, and conducted himself with so much levity and indecorum, that he alienated the affections of the people. Geneva, under so fluctuating a government, would infallibly have fallen a prey to the Counts of Savoy, had not the Dukes of Zæringen interposed their predominant authority. Meanwhile great disorders prevailed in the city and throughout the country; and the consequence of the bishop, as well as the count, sunk gradually in proportion as the people were left to provide for their own safety. It required no uncommon degree of sagacity to foresee an

impending change; but no one could prognosticate what would be the fate of succeeding generations.[37]

Basle.

Of Pantalus, a bishop of the Rauraci, in the former part of the third century, no better evidence is extant than the legend of the eleven thousand virgins, with whom he is said to have suffered martyrdom. The transfer of the see from the Augustan colony, which had been demolished by Attila, to Basle, is ascribed to Walan, about the middle of the eighth century. Waldo and Hatto were two men of distinguished worth, whom Charlemagne preferred to this bishoprick, and employed in many of his negotiations. The latter he sent ambassador to Constantinople, and induced him to resign the bishoprick. This see owed its greatest accessions to 822
the Emperor Henry the Second, who rebuilt the metropolitan church, which had been demolished by the Hungarian rovers;[39] and granted to Bishop Adalbert extensive lands and 1019.
franchises in Alsace, and a castle on the river Birs.[40] The same bishop obtained also from Rudolph, the last king of Burgundy, the abbey of Munster in Grandval, with all its dependencies and privileges. On the extinction of the house of Zæringen, this see obtained likewise the possession of the 1218.
town of Brisach; which however proved a cause of great contention between Bishop Henry of the house of Neuchattel, and the aspiring Rudolph of Hapsburg; the latter of whom 1264.
seized, and the bishop redeemed it with a large sum of money.[41]

[38] The bishoprick of Geneva was, at the Reformation, transferred to Annecy in Savoy. [39] The images of Henry and of his Empress Cunigunda are sculptured over a door of this church. [40] Pfeffingen.

[41] When this bishop heard that Rudolph had been elected Emperor, he exclaimed, "Sit firm, good Lord of Heaven, or this man will drag thee from thy throne!"

CHAP. III.

The same Henry made also large acquisitions by purchase, and among these the town and castle of Porentru, which became at the Reformation, and has to our days continued to be the episcopal residence.

Abbeys.

Among the Scots who, in the early ages of Christianity, inhabited the north of Ireland, were several men of noble birth, who had addicted themselves to letters, and, from a love of tranquil contemplation, had withdrawn themselves from all intercourse with their rude countrymen. Columban crossed over

565. to the Hebrides, and founded an abbey on the isle of Jona. Ancient books have lately been found on this island; and here, is the greater history of Sallust said to have been seen for the last time.[42] Many resorted from this abbey to the celebrated monastery of Bangor; and thence, probably allured by the mildness of a more genial climate, and perhaps by a desire to approach nearer to the first seats of learning, they advanced into Gaul, and, on approaching the Alps, viewed with admiration their rugged Scottish mountains on a far greater scale. Columban, Gallus, Magnus, and nine others, came to a deserted valley among the Vauges,[43] where they discovered some warm medicinal springs. Here they founded a convent,[44] and like the ancient legislators, instructed the people both in religion and agriculture. Brunehaut Queen of Austrasia, resented the admonition Columban had given her grandson Theodoric against the crime of incest, and caused him to be banished. He with his companions withdrew into the Alemannic part of Helvetia. At Tuggen on the

[42] In the year 1526. v. Pennant's Tour in Scotland.

[43] Mountains between Alsace and Franche Comté.

[44] Luxeuil.

Limmat,[45] and at Bregenz on the lake of Constance, they preached the gospel of peace, destroyed the idols of the God Wodan, burnt his temples, and cast the offerings into the lake. The people, exasperated at this profanation of their wonted rites, did not refrain from blows, and compelled the holy men to fly. Gallus crossed over to Arbon,[46] where Willeran, a priest, had been detained by sickness. Columban, with his friend Sigebert, retired into the higher Alps, where having, by paths long after deemed impracticable, reached the top of St. Gothard, they parted. Sigebert descended into a gloomy dell, near the sources of the Rhine. Here he instructed the savage Rhæti, lived in a lonely cave, and cheerfully submitted to all kinds of austerities, provided he might spread comfort and instruction around him. At length he founded the abbey of Disentis, which Placidius a native, the presidents of the Victor family, and long after the pious Cunigunda, the consort of the Emperor Henry the Second, endowed with considerable estates, revenues and privileges.

CHAP. III.

Disentis. 614.

Gallus learnt from one of his deacons, who was a huntsman, that in the woods above Arbon, lay a small sequestered vale, watered by a brook called the Steinach, and inclosed by steep hills, which joined on to lofty mountains, whose snowy summits rose far above the clouds. The saint and his companions instantly repaired to this remote solitude, and near a fall of the Steinach, laid out a garden, erected cells, pastured a small flock, fished with nets of their own making, and thus rescued the spot from the wild state of nature. Count

St. Gallen.

[45] *Ad caput Lacus*, near the head of the lake of Zuric.

[46] An ancient castle on the western banks of the lake of Constance.

CHAP. III.

Talto, Chamberlain of the Austrasian court, gave them a formal grant of the land. Gallus declined the bishoprick of Constance; and after living ten years in this peaceful retreat, with friends his heart approved, he died at Arbon, of a fever. Half a century after his death, was founded on this spot, the
640. abbey of St. Gallen, under the auspices of Pepin de Heristal, mayor of the palace in France, who placed it under the immediate patronage of the king. Othmar, the first abbot, established a school, which he annexed to the foundation, and in which the learning derived from the Scots, and a fervent love of science, have been long preserved in an almost miraculous manner. The abbots Waldo, Gosbert, and Harmuth, founded and enriched a library, to which we owe the preservation of Tully's books on the laws, and on the scope of human actions.[47] On this very spot, which Ammianus has described as most dreary and desolate, have his own history and the works of Quintillian been preserved by secluded monks. Harmuth transcribed with his own hand, the general institutes of erudition.[48] The library contained the Latin grammarians,[49] sundry works on history and geography,[50] and a map of the world. Scots and Anglo-Saxons still resorted to the abbey founded by their countryman; and from them did the monks chiefly imbibe their taste for knowledge. These monks ventured now to discriminate in the canons of the scriptures, the books which are of divine origin, from those which appear spurious. The Greek language was not wholly

[47] De legibus, & de finibus. [48] Boethius, Martian. Capella, Beda de Nat. rer. et temp. [49] Priscian. Isidori Etymolog.

[50] Solini Polyhist. Excerpta de Pomp. (Trogo) Orosius.

neglected by them: and although the study of the ancient poets appeared useless to the hoary fathers, yet the less venerable brethren learnt Virgil by heart, and affected to call their monastery the common-wealth, and their chapter its senate.

Before the more general diffusion of letters, no ray of intellectual light had dawned on the Alemannic part of Helvetia, but what came from the abbey of St. Gallen; no school was equal to this for all manner of erudition, and, what was then held in high estimation, for vocal music, prosody, and a neat hand writing. Its strict discipline was admired by the Emperor Conrad, who, when on a visit, having thrown apples among the pupils, not one of them turned away his eyes from the book before him. Thus are the Romans said to have encamped in the midst of orchards, and to have left the ripe fruit untouched. One of the most eminent men educated in this seminary was Eckard, who, at an assembly at Mentz, met six bishops who had been his schoolfellows. Hedwig Duchess of Suabia, offered to grant an estate to the abbey, on condition that he might be allowed to reside at her castle at Hohentwiel. She was highly accomplished, and so revered, that the most solemn oath in Suabia was, 'by the life of Hedwig.' Eckard excelled all his contemporaries in elegant endowments: his manners were captivating, his language impressive, his eyes piercing and persuasive, his person tall and comely: he frequently attended Hedwig; and they read the ancients.[51] Solomon, of the illustrious house of Ramschwag in Thurgau, was another bright ornament of this school and abbey, over

[51] Eckard wrote a Chronicle of his abbey, and died in 996.

CHAP. III.

which he presided near thirty years. He was at the same time Bishop of Constance, and Abbot of Pfæffers, and of ten other monasteries. He was eminently distinguished for mental endowments, learning, and a due sense of the decorum that became his rank and station. He was in the confidence of five successive emperors, and many princes and prelates, to whom his counsels and lively converse had become indispensably necessary. Keonwold, a bishop, came ambassador from Athelstan King of England, and in the name of his sovereign entered into a friendly compact with this abbot. His sermons drew floods of tears; whilst no one at the Emperor's table sported with more wit, and refined urbanity. While young, he had been too much beloved by the daughter-in-law of a nobleman who had entertained him in his castle: she bore him a daughter, who was so proud of such a father, that she rejected the addresses of the Emperor Arnulphus, and afterwards married into the house of Kyburg. He was envied by the monks, but they could not withhold the admiration due to his exalted merit. He was splendid and hospitable. On the first day of each month he entertained his monks: at Constance he kept open table for the citizens and clergy. He had a massy cup of gold, richly inlaid with gems; a brass bason, wrought with figures of exquisite workmanship; and large tables of ivory. The Imperial commissaries of Suabia,[52] Berthold and Erchanger, saw with jealous eyes the influence he had obtained, and the ample donatives that were heaped upon him. They insulted him; and coming to an open rupture, they seized his person, and conveyed him to a castle where

[52] The office of Duke of Suabia had been suspended since the time of Pepin.

CHAP. III.

Bertha, the wife of Erchanger, was then residing. Bertha was struck with terror when she heard of the daring outrage. She hastily prepared a room and an altar for the captive bishop, came in tears to meet him, and prayed for the kiss of peace. Meanwhile the friends, kinsmen, and retainers of the bishop assembled, and meeting with the commissaries in a wood, secured them. The garrison of the castle hereupon surrendered, and Solomon came forth, leading Bertha by the hand, whom, together with all her property, he immediately restored to her relations. The commissaries were impeached, condemned, and publicly executed at Mentz; and Suabia was again committed to the government of a duke.[53]

The abbey had, by such accumulated grants, been so much aggrandized as to excite, when under an enterprizing abbot, the jealousy of all its neighbours. The Abbot Ulric of Eppenstein, son to a Duke of Carinthia, found himself at once assailed by the Duke of Zæringen, the Counts of Kyburg and Tockenburg, all the great Lords of Thurgau, a Chief from Upper Rhætia, and all the vassals of the Count of Nellenburg from the opposite side of the Rhine. Being overpowered, he 1080.
fled to Agen on the Garonne; and his monks, rather than forfeit their allegiance to their spiritual father, withdrew into Appenzel.
the remote Alpine valleys above St. Gallen; in one of which, among enormous precipices and foaming torrents, a former abbot had converted an humble cell, raised by the shepherds for their devotions, into a more ample edifice, which has since become the parochial church of Appenzel.[54] Ulric, watching a favourable opportunity, returned, defeated his enemies, and

[53] Solomon was Bishop and Abbot of St. Gallen from 891 to 919.

[54] Abbatis Cella.

CHAP. III.

received full compensation for the depredations committed on his abbey. He combined with a considerable share of the learning of his times, and at least the semblance of piety, such natural endowments as would infallibly, in ancient times, have placed him at the head of a Greek republic. He was forty-six years Abbot of St. Gallen and Patriarch of Aquileia; and though surrounded by enemies, excommunicated by the Pope on account of his firm adherence to the Emperor, at constant variance with the advocate of his abbey, and incessantly harassed by Gebhard of Zæringen, Bishop of Constance, who carried fire and sword to the walls of the monastery, whilst his brother, Berthold the Second, invaded the very choir of the collegiate church, he nevertheless preserved the love of his people, and secured the admiration of posterity. Undaunted in the midst of repeated misfortunes, he could never be brought to sue for peace; nor did his successes ever induce him to commence a war, or, contrary to the usual practice of prelates, to provide for the aggrandizement of his family. Such were the men who occasionally presided over this venerable abbey, and whose examples the historian may surely dwell upon with complacency, since they so rarely occur in the annals of human nature.

Seckingen.

Fridolinus, another illustrious Scot from the north of Ireland, had, before the arrival of Gallus, already founded a ladies' monastery on the island of Seckingen, in the Rhine, near the second cataract below Shaffhausen.[55] Clovis the First, King of the Franks, endowed it with considerable lands in its vicinity; and Ursus and Landulphus, two noblemen of large

[55] Lauffenburg. The abbey was founded about the year 490.

property, granted to the foundation a valley in Rhætia, near the sources of the Limmat, which, from St. Hilary, to whom Fridolinus consecrated a chapel in one of the least savage parts of the vale, obtained, by corruption, the name of Glaris. (Glaris.) This country became henceforth a dependence on the abbey of Seckingen. There are traces of its having been cultivated by the Romans: but after the decline of the empire, when foreign invaders spread desolation throughout the land, the deserted inhabitants forsook their dwellings, and fled into the higher Alps, where they had less to fear from bears and wolves, than from the ferocity of unrelenting man. A reverend abbess at length repaired the evils which had been inflicted by the rage of conquering warriors.

Whilst pious men from Ireland were thus converting the Zuric. Helvetii to Christianity, and their forests into fertile lands, two noble Franks, Rupert and Wiccard, lived in the Alemannic part of Helvetia; the former being the duke of the province, and the latter a priest. Their joint patrimony, for they were brethren, extended over mount Albis, and near where the Limmat issues out of the lake of Zuric. Here a number of traders, who bartered the productions of Italy, France and Germany, had, in the earliest times, formed an establishment of some magnitude, which since the fall of Rome, had, like all other works of human art, been abandoned to desolation. A thick forest had succeeded to the temples, amphitheatres and dwellings of those early times; and all around was now become a lonely barren desert. Rupert at length built a (Minster.) minster, on an eminence near the efflux of the river, in which 680. a chapter of regular canons, under the direction of a dean, were bound to praise God seven times each day and night;

CHAP. III.

and which he endowed with lands on the neighbouring mount Albis, and several manors in other parts of Helvetia. An establishment like this never fails to attract a neighbourhood; and this place appears accordingly to have soon risen to considerable notice, since we find that Charlemagne thought it worthy of a temporary residence. He added to, and embellished its minster, decorated the town with stately edifices, and bestowed on both extensive privileges and immunities. The amenity and conveniences of this favoured spot invited a fresh concourse of inhabitants, and gave rise to another religious establishment, which in the sequel obtained ample estates and high prerogatives in the town, and various parts of the country. Hildegard and Bertha, daughters of Lewis the Germanic, founded, on the side of the Limmat opposite to the minster, a monastery for noble ladies, on which the Emperor, their father, conferred the manerial rights in Zuric, the forest on mount Albis, and the valley of Uri extending up to St. Gothard. These domains were administered by a steward appointed by the abbess or the chapter: and, except the paramount but remote authority of the Emperor, none was equal in these parts to that of the abbess. When, however, the advocacy of both chapters fell into the potent hands of the Dukes of Zæringen, the secular was often found to prevail over the ecclesiastical power.

(Ladies Monastery.) 853.

1097.

Muri.

Radbod, the builder of the castle of Hapsburg, was married to Idda the daughter of a Duke of Lorrain, who was not so deaf to the voice of justice and humanity as her obdurate lord. Her jointure-house was situate in the village of Muri on the Aar, whose inhabitants had repeatedly, but in vain, sued for redress. The unmerited severity the count exerted towards

them, and the perpetual and vexatious feuds that subsisted between him and his brethren, afflicted her benevolent heart, and so greatly alarmed her piety, that she resolved to offer some atonement to heaven, by dedicating her house to St. Peter, and causing a number of monks to be devoted to its service. 1027. So ardent was her zeal, that she caused two hundred workmen to be employed in the construction of the necessary edifices; and thus rose, in a very short time, the abbey of Muri, which has since arrived at great eminence among the religious foundations in Helvetia. Reimbold, its first abbot, a native of Soleure, purchased two bells at Strasburg, and procured transcripts of the Bible, hymns, homilies and legends, the books of Homer, Æsop's moral apologues, some of Ovid's poems, the histories of Sallust, and other valuable works, which, notwithstanding the subsequent decay of literature, have been handed down to us, with less taste indeed and judgment, than learning and devotion. The monks established a school, where they taught the rudiments of science; besides which, and the attendance on their sacred functions, they superintended the cultivation of their lands, of which they held extensive tracts in the adjacent villages, and the Alps. The abbey was at first exempted from the advocacy of the house of Hapsburg; but Count Werner prevailed on the abbot, by gifts and specious pretences, to confer that office on his son Otho, in whose 1096. lineage it continued through many generations.

Bertha, the pious and munificent Queen of Burgundy, lived Payerne. at a period when, the millennium after the incarnation drawing near, men looked for the approaching consummation of time, and the final dissolution of the universe. She, like many others, resolved to secure an inheritance in heaven, and founded an

CHAP. III.

962.

abbey at Payerne, to which, with the consent of King Conrad and Duke Rudolph, her two sons, she granted her whole dower, all her lands in these parts, all her male and female servants, and several advowsons. She obtained for her foundation, a total exemption from all secular jurisdiction, and directed that the monks should have the free choice of their prior,[56] and, jointly with the prior, of their advocate: and, because without arms it is not possible to resist men addicted to violence, she cursed as follows: 'Grant, O holy 'apostles, and ye glorified saints, Peter and Paul, and thou 'who, seated on their throne, dost now rule over all the 'bishops of christendom, that whoever shall invade this sanc-'tuary, may be expelled the church, and struck out of the 'book of life! May his portion be with those who say to the 'Almighty, avaunt! be far from us! May he dwell with 'Dathan and Abiron, whom the earth swallowed up into its deep abyss! May his body, during life, suffer the most excruciating torments of hell, like Heliodorus who was scourged by angels, and Antioch who was devoured by worms!' By subsequent liberalities this abbey obtained the manerial jurisdiction, a mint, and a market in its own town, the stream that joins the lakes of Morat and Neuchattel, the town of Colmar, and several estates in Alsace. Its church was built of materials taken from the ruins of Aventicum. It is now a granary, which retains, of its former religious awe, only the solemn toll of a great bell.

St. Maurice.

Among all the religious houses in Helvetia, none boasts of so remote an antiquity, as that which nearly fills the narrow

[56] The dignity of abbot was vested in the prelate of Clugny; the monks of Payerne being derived from that abbey.

pass where, between steep and lofty precipices, the Rhone gushes forth from the Valais, and enters the swampy plain, formed no doubt by the deposit of its retarded current. The foundation of this abbey is ascribed to Sigismund, king of the first realm of Burgundy,[57] who dedicated it to St. Maurice and his companions, the holy martyrs of the Theban legion. He endowed it with corn fields and vineyards, in the Pays de Vaud, in the plain of Geneva, and as far as Vienne on the Lower Rhone; with the town of Salins in Upper Burgundy; and several woods and pastures in the Valais, and the vale of Aosta. No proof is extant that he conferred on it any temporal jurisdiction: had he intended such a prerogative, the lands he granted would not probably have been so widely scattered. The monks, thus richly portioned, gradually relaxed from their strict discipline, and the habits of frugality and industry that became them: they preferred hounds and hunting to the duties of the choir, and the inspection of their domestic concerns; and each lavished individually the revenues of the convent. Amadeus Count of Savoy, who had now acquired a great ascendency in these parts, undertook to correct these disorders. He caused all the property that had been alienated to be restored, introduced regular canons of a strict reform, and assumed the authority, if not the office of advocate, which he well knew how greatly it would avail him in his views upon the Pays de Vaud.

515.

1130.

The carnage and desolation that spread all over Helvetia during the inveterate wars between the Guelphs and Ghibelins, prompted many nobles, weary of incessant toils and dangers, Engelberg.

[57] He probably only restored it, since the name of St. Severinus as abbot of this monastery, occurs so early as the year 506.

CHAP. III.

and worn down by calamities, to seek refuge in the lonely cells of monastic seclusion. Many of them became founders,[58] and afterwards submitted to the discipline they had themselves established. One of these, Conrad Baron of Seldenburen, sought a remote and obscure solitude, at the farther extremity 1120. of a deep narrow dale, and there built the abbey of Engelberg, to which he transferred considerable revenues from his estates in Thurgau, and placed it immediately under the apostolic see. The Lords of Bonstetten, and other knights, afterwards considerably enlarged its domain. The summit of mount Titlis, which rises behind the abbey, glistens with the purple beams of the setting sun, long after the surrounding pinnacles are seen only through the faint glimmer of the departing twilight, and the monks in their cells beneath are involved in perfect darkness. Wild rugged paths lead to this abbey, from Uri and Oberhasli, and a broken road along the side of a torrent between shaggy precipices is its only communication with Underwalden. Here Conrad himself obeyed his abbot with humble resignation; and hither many pious men resorted to pray for the afflicted world in a deep solitude, where none could see them, but the all-seeing eye.

Einsidlen. No place of religious worship was ever held in greater veneation by the Helvetii, than the sanctuary of Our Lady of the Hermitage, still towering[59] on the heights between Schwitz and Rapperswyl. Meinrad, son to Berthold, a Count of Hohenzollern, had been educated in the monastery of Reichenau,[60]

[58] Upwards of twenty convents were founded between the years 1060 and 1140.

[59] Perhaps demolished, since this was written, by order of a French general.

[60] An opulent abbey, founded in 724, on a beautiful island in the lower part of the lake of Constance, where young men of rank were wont to be educated.

where he had early imbibed a taste for a recluse and abstemious life. In quest of greater hardships and solitude, he resorted to different spots, till then unfrequented and perhaps unknown, and at length arrived at a dark forest on mount Etzel, where he built a hut, and lived many years in profound abstraction; until he was assassinated by robbers, who coveted his scanty property. Other pious ascetics resorted to this sequestered spot, but no additions were made to the lonely cell, sanctified by the austerities of Meinrad, till Gregory, a reputed son of a king of England, and brother-in-law to the Emperor Otho the Great, after paying homage to the tombs of the apostles at Rome, sought this retreat, and there resolved to await, in the practice of abstinence and piety, the release from the bonds of carnal thraldom. Others of noble birth, repenting the transgressions of their youthful days, perhaps satiated with the enjoyments of earthly pleasures, or seeking refuge from the calamities of life, assembled round him, and with the aid and sanction of Otho and his empress, converted the humble cell into a stately monastery.[61] Its miraculous image of the Virgin Mary, soon became celebrated in distant parts, and drew swarms of penitent offenders. The surrounding desert was now cultivated, and stocked with large herds and flocks for the supply of the multitude of pilgrims who came for absolution. The Count of Rapperswyl surrendered his castle to the blessed Virgin, but obtained the advocacy, which continued in his family till it devolved to the house of Hapsburg: and many freemen, firmly relying on her inviolate

861.

946.

[61] Benno and Eberhard are in the list of abbots before this Gregory, whom the legends report to have been a brother or son of King Athelstan. Eberhard appears to have only built a chapel near the cell of Meinrad.

CHAP. III.

protection, preferred her service to their former independence. Various were, in these mixed times of violence and imbecility, of genuine piety and superstition, the motives for monastic endowments. Many looking for the protection, and security of their remaining property, granted their patrimony when they devoted themselves to a sanctuary. A fond mother offered donations when her darling son had read his first epistle; a youth when he departed for a distant seminary; a knight when he went forth to the holy wars; and all when struck with terror at some fatal event, or with remorse for deeds of darkness. Large districts and extensive forests, without either name, or precise limits, and ample manors, came thus into the possession of this abbey. Nor did the Pope withhold his spiritual immunities and high prerogatives. Neither have the ferocity of barbarous invaders, or any period of prevailing irreligion, till of late diminished the concourse of devotees who daily resorted to this sacred image, the number of ample gifts continually offered at her shrine, or the multitude of miracles she would never have ceased to perform as long as faith was not wanting to credit their reality.[6]

3 CITIES.

Few had, until the tenth century, been the aggregate habi-

[6] Most of the prelates of the abovementioned sees and abbeys, have at different times been raised to the rank of either actual or titular princes of the empire. The number of the other religious foundations in this country, some of them of no inconsiderable importance, is too great to be here recorded. The princely abbeys of noble ladies' at Schennis in the Gaster, and of Benedictine monks at Pfæffers in the county of Sargans; those of Beron minster in the Argau, of Bellelay in Grandval, of St. John in the isthmus between the lakes of Neuchattel and Bienne, of Hauterive in the canton of Friburg, of Romain-Moutier and Bonmont near Geneva, are among the most considerable. The more important ones of Lucern and Shaffhausen will be mentioned together with the origin of those cities.

tations of men in these Alpine regions and their adjacent valleys. Castles and convents had indeed long since attracted to their vicinity, the fixed abodes of some dependents, and given rise to villages or towns; but few of these were as yet adorned with municipal honours and jurisdictions, or secured either by works of defence, or disciplined garrisons. The bulk of the nation, whether freemen or vassals, were husbandmen or shepherds, who dwelt on their scattered farms, and assembled when their lords, either spiritual or temporal, had a claim to assert, or an insult to avenge. The Emperor Henry the 932.
First, the Fowler, at the time when the Hungarians invaded the empire and laid waste the open country on the Po, the Rhine and the Danube, first acknowledged the expediency of establishing an intermediate class of men in fortified towns and of committing to them the defence of their newly raised walls. Numbers of peasants of free condition, but spiritless and feeble, were now drawn forth from their abject obscurity and roused into energy by the consciousness of their collective force. Some of higher ranks, allured by the security these walls insured to their persons and property, and the affluence of the necessaries and conveniences of life that offered within those precincts, gladly joined the rising communities; whilst many who practised manual arts, saw the advantage of co-operating skill, of a combination of various trades, and the proximity of markets, and readily increased the population. Hence arose the order of burghers or citizens, on which Henry conferred ample privileges, which soon rendered it the source of all industry and traffick.

The advantages Zuric derived from its situation, its Imperial franchises, and the mildness of its ecclesiastical government

CHAP. III.

had given it some priority in the origin of cities. Being a second time become the emporium of all the commerce between Italy, Rhætia and Germany, it was soon enlarged by a rapid concourse of merchants, toll-gatherers, inn-keepers, artisans, watermen, and (the Emperor having established here a court of judicature for Lombardy,) of magistrates and lawyers of different nations. On an eminence stood an imperial palace. The two monasteries were surrounded with meadows, vineyards, and the dwellings of many nobles and freeholders, decorated with all manner of rural embellishments. The date of its first walls is not recorded.[63] Dams were raised to secure the houses against the inundations of the torrent Sil, which falls into the Limmat at a small distance below the town. The count of the district held his court in the palace, or on the open area before the minster; always in the presence of the people, who, unless an appeal were made to heaven, confirmed or rejected the sentence: every man was thus ultimately tried by his peers. The few written laws then extant were drawn up in the plainest terms. An oath on the relics of the saints was considered as decisive in all cases; but men of unblemished character were (as a reward of virtue) credited on their bare assertion. The Emperor often resided here: and the Bishop of Constance, after he had been consecrated in his metropolitan church, used to take up his abode at Zuric. Its rising prosperity roused in it a sense of dignity, and spirit of independence, which were soon communicated to most of the cities in Helvetia, and on the Rhine.

[63] Some have ascribed them to the Emperor Charles the Gros, towards the end of the ninth century: others do not date them higher than the first Otho, about the middle of the tenth century.

Arnold of Brescia, a favourite disciple of Peter Abelard, took refuge here from the persecutions of orthodoxy. He had learnt from his master to attempt the illustration of points the most abstruse and difficult, by a fanciful novelty of argument and diction. He taught 'that God is all: that the 'whole creation is one of his single thoughts: that the Uni-'versal Father, the Redeemer, and our souls are one; and that 'sin is the disjunction of this unity: that our terrestrial bodies 'are the punishment of sin: that where there is love there is 'no sin: that we must shake off the bonds of inert matter, 'and soar up to the source of light, by which means man 'may become deified, and his soul will be converted into 'mere contemplation.' These mystical schemes of theology accorded with the presumption of many, who (an error common in all times) were for adapting the inscrutable views of providence to our narrow comprehension; and many sought for perfection by a total dereliction of all the comforts of life, and the duties of society, on which they looked down with compassionate disdain. They courted persecution, and became obnoxious to every ruling power. But Arnold, moreover, arraigned the depraved manners of the clergy, and their immoderate love of wealth and pleasure. He maintained that the ecclesiastical ought, at all times, to be subordinate to the secular power; and even dared to assert, that kingdoms and principalities are not ultimately the property of the church. Such doctrines could not be long tolerated; and Arnold at length was blessed with the crown of martyrdom, for which he panted.[64] But the people of Zuric, and of many neighbouring

[64] He was hanged and burnt at Rome, and his ashes were scattered in the Tyber.

CHAP. III.

cities, relished and countenanced those of his tenets which checked the progress of spiritual thraldom. They were all disaffected to the Papal power; no doubt because, in addition to the speculative principles of Arnold, they felt that the authority of their prelates was an insuperable bar to their darling independence.

Shaffhausen.

A cause, similar to that which had brought Zuric into early notice, collected, at a time of which no record is now extant, some contiguous habitations near the great cataract of the Rhine, where, the navigation of the river being interrupted, the assistance of the villagers was necessary for conveying goods across the fall.[65] Inn-keepers, butchers, bakers, and various mechanics soon found this a place of advantageous traffic; and, because the surrounding woods were infested by robbers, many nobles and freemen of the neighbouring country, took shelter behind the twelve towers that had been built for its security. Everard Count of Nellenberg, the chief proprietor of the rich lands in the vicinity, built near it the convent of St. Saviour and all Saints, and placed in it an abbot, with twelve monks of the Benedictine order. Pope
12. Leo the Ninth, in his way to Germany, consecrated the altar. Besides ample estates, from the Black Forest to the Rhætian Alps, the founder endowed it with various tolls and taxes, within the town: and after a pilgrimage to St. James of Compostel, died a monk in his own abbey. Burcard, the son
1080. of Everard, exempted it from the advocacy of the house of Nellenberg. It became an asylum for persons accused, who

[65] *Shaffhusirun* (ship or boat houses) occurs in records of the year 800. *Ascapha*, the ancient name of this town, was no doubt derived from *scapha*, a skiff. A ferry at this place could not well be dispensed with.

sued in vain for justice; a sanctuary in times of war and devastation; and the friendly guardian of an accumulated and prosperous population.

Basle. Basle was at one time the most considerable, and is perhaps still the largest city, in Helvetia; nor does it yield to any in point of antiquity, since when Clovis transferred the episcopal see of Augusta Rauracorum to this new metropolitan seat, it must have already acquired some consequence. While 748. the bishops were grasping at power, and spreading their domains, the burghers were not unmindful of the privileges they considered as their inheritance. They claimed an equal share with the prelate, in the administration of their public concerns. They formed themselves, according to their respective trades, into a number of guilds, corporations of modern date, which sometimes promote the common interest, but more frequently contract the views of the members who compose them. The government was vested in a senate, over which the bishop presided, and which consisted of four members of the equestrian order, eight of the more considerable citizens,[66] and twelve chosen out of the guilds. They were named annually, on a stated festival, by eight electors appointed by the bishop, two out of the chapter, two of the equestrian order, two citizens of note, and as many out of the guilds. The bishop also appointed the wardens of the guilds, and confirmed the burgomaster. Thus all ranks participated in the administration; and hence arose an equipoise, which ultimately insured the welfare of the community.

Soleure. Waving the traditional tales which carry the antiquity of Soleure up to the times of Abraham, and even of a son c

[66] Notables.

CHAP. III.

Ninus,[67] we shall trace it no higher than the mention made of it in the Notitia, where, under the name of Castrum Salodorense, it is described as a place of strength in the times of Honorius. Monuments are not wanting which seem to ascribe to it some degree of splendor; but what part of its ancient edifices may have escaped the ravages of the invading barbarians, it will now be in vain to enquire. A legend brings the two saints, Ursus and Victor, of the Theban legion, to this
736. spot to suffer martyrdom; but better authorities inform us, that Bertha the mother of Charlemagne, built on it a church,
930. which she dedicated to the former of those saints; and that the good Queen Bertha of Burgundy, added to it a community of regular canons, which she endowed with considerable revenues. Henceforth Soleure grew into a town, under the dominion of the last kings of Burgundy, from whom it passed
1032. to the empire, and remained annexed to it, under the vicarial uthority of the Dukes of Zæringen, until the extinction of hat beneficent line.

Berne. The fame acquired by the fifth and last Berthold of that illustrious race, by the foundation of the city of Berne, and the motives which prompted him to favour the exertions of the people, to secure themselves against the oppressions of the rapacious counts, have already been mentioned in a former page.[68] Soon after he had defeated his emulous peers in one
1191. of the high valleys among the Alps,[69] he gave charge to

[67] The following barbarous distich is inscribed on a very ancient tower in the middle of this city.

In Celtis nihil est Solodoro antiquius, unis
Exceptis Treviris, quarum ego dicta soror.

[68] See page 44. [69] Grindelwald.

Cuno de Bubenberg to surround with a wall and ditch, a hamlet, on a lofty peninsula, formed by the river Aar, which winds rapidly in a dell beneath. He availed himself of the advantage of this remote, yet centrical situation, amidst fertile pastures and extensive woodlands, to secure to himself a safe retreat from his enemies, without giving umbrage to his own adherents, few of whom resided in its vicinity. The success of this new establishment remained some time uncertain: the air was sharp, the country around it wild; but the protection it held out to the nobles and freemen of the adjacent country gradually attracted numbers of them, and Berne became, in a few years, a town of note. The Lords of Egerdon, Bubenberg, Mulleren and Erlach, appear among the first of the illustrious founders. Burghers also came from Zuric, and from Friburg in the Brisgau, and introduced the spirit of municipal order, and a consciousness of their collective importance. Bent on lucrative employments, they gladly entrusted the government to the hands of the nobles. Those states will thrive best, where each individual contributes, not his political or legislative abilities, which, for want of preparatory knowledge and of the means of accurate information, must ever be defective, but his professional skill in his peculiar craft. They approved of an avoyer and a senate.[70] These governed with so much wisdom, and, when insulted, avenged their cause with so much firmness and intrepidity, that not only the counts, but even the Emperor acknowledged a marked deference for this rising

[70] This senate was afterwards called the Supreme Council, and consisted of two bodies, the little council (or senate properly so called,) and the great council.

CHAP. III.

community.[71] It has repelled the attacks of several powerful armies of the Counts of Hapsburg and of the empire: and it was reserved for our days, to see it yield for the first time to the unprovoked assault of a perfidious foe.

Friburg. 1178.

The same motives that raised Berne to the rank of a fortified and ultimately an independent city, had, at an earlier period, already converted the village of Friburg, on the river Sanen, into a populous township. This also was intended by Berthold the Fourth of Zæringen, as a refuge for the inferior nobility of that district: and he was warmly seconded in his intentions by many barons,[72] and as strenuously opposed by the more powerful counts. The burghers, while they were building their walls, found it necessary to hire soldiers to guard them against the inroads of their hostile neighbours. So little are men agreed concerning the peculiar form of government which can best insure the prosperity of a state, that in this rising community, freedom and felicity kept pace with inequality, and a nice discrimination of ranks.[73] The nobles fondly asserted their pre-eminence even after death; and obtained permission from the bishop to be buried in the neighbouring abbeys, that their ashes might not be mingled with plebeian mould. Six centuries have not yet united the Germanic and Burgundian races into one people: the inhabitants near the river still use the German tongue, while those in the upper

[71] A letter of the Emperor Henry the Sixth, to the city of Berne, soon after its foundation (1198) is extant, by which he places the convent of Interlachen under its protection.

[72] Blonay, Montenach, Stavajel, &c. who signed the foundation charter.

[73] The records make frequent mention of *Barones*, and *Burgenses Majores* and *Minores*.

town speak only French; few of either district being equally versed in both languages. The city obtained from the Duke of Zæringen, a district of near eighteen leagues in circumference; and it vied with the monks of Hauterive, in the improvements it introduced in its domain. It received a government not unlike that of Berne, and has maintained it with little variation to our days.[74]

Lucern.

The torrent Reuss, issuing from the summit of mount St. Gothard, rushes down impetuously, through a deep narrow chasm, and over many successive and tremendous precipices, into a long winding lake, which skirts the northern margin of the higher Alps.[75] This wide expanse, surrounded by a sublime variety of towering summits, craggy rocks, verdant and woody hills, fertile dales and luxuriant pastures, a scene which has ever been viewed with awe and admiration, terminated at its lower extremity, before the industry of man had corrected nature, in a swampy marsh, over which its waters poured in many spreading shallows, till, resuming a contracted channel, and the name they bore before they gushed into the lake, they hastened in an undeviating course to the river Limmat below Zuric. No sooner had traders opened a communication with Italy, over the St. Gothard, than they saw the expediency of effecting a secure navigation over this fenny level. They caused a strong dam to be thrown up below the

[74] It usually assumed the name of *La vielle Republique.*

[75] Before this lake could receive its name from Lucern, or the Four Cantons, which it now bears, it was called the *Waldstetter see,* no doubt from the extensive forests that surrounded it. The name of *Forest Lake,* and of *Forest Cantons,* appropriated to those of Schwitz, Uri, Underwalden and Lucern, which border on this lake, will be occasionally adopted as most discriminating and convenient.

CHAP. III.

swamp, of a proper height to stem the current, and raise the level of the lake, so as to retain a sufficient depth of water over the whole morass to float the vessels they employed in the conveyance of their merchandize. An enterprize of such magnitude could not have been accomplished without the co-operation of many workmen, labourers and artificers. These would find it convenient to fix their habitations on the spot; and thus arose a town which, under the name of Lucern,[76] arrived in time at a pre-eminent rank among the members of the Helvetic Confederacy.

Wiccard, the brother of the founder of the minster at Zuric, instituted a monastery in this place, which he dedicated to St. Leodigard; and endowed it with several villages on mount Albis. He was joined by Alberic, another noblemen of fervent zeal and austere manners. They lived long together; and though imperfectly acquainted with human nature, and unable to appreciate and develop their own mental powers, yet their motives were laudable, and their exemplary piety softened the rude manners of the people. The abbey of Murbach in Alsace appears, ever since the time of Pepin, to have been possessed of the higher jurisdiction over this town and monastery, with the exception, however, of many franchises and privileges. Of the grant to that abbey no traces are known to be extant.

Recapitulation. 1218.

Frederick the Second sat on the Imperial throne when Berthold the Fifth, of Zæringen, was buried with his shield and helmet,[77] and the immediate government of Helvetia

[76] It is no improbable conjecture that a light house (Lucerna) had been built in some part of this town, for the security of the navigators, from whence it may have derived its name.

[77] The custom of those times, when the last of a noble line was carried to his grave.

reverted to the empire; but this government was now limited by numberless subordinate, and yet refractory authorities. The fiefs of the counts were extensive, and almost independent. Kyburg possessed the greatest part of what became since the canton of Zuric, the counties of Lenzburg and Baden, the country of Zug, and the landgraviate of Thurgau; and Anne, one of the heiresses of Zæringen, had added to these wide domains the county of Thun, and other allodials in the Burgundian Helvetia. The Counts of Hapsburg ruled with an iron rod the part of Argau which did not belong to the Count of Froburg: they held also the landgraviate of Buchsgau, between the Aar and the Jura, containing the county of Bipp, the jurisdiction of Falckenstein, Bechburg, Olten, and other seigneuries. The Counts of Tockenburg and Rapperswyl occupied in Thurgau all that was not possessed by Kyburg and the abbey of St. Gallen. The Counts of Neuchattel, Gruyeres, Savoy, Thierstein, Buchek, Homberg, Werdenberg, Sargans, Rothenburg; the Barons of Granson, of Wissenburg, Lassara; the Lords of Wadishwil, Regensberg, Brandis, and many others, though they acknowledged the paramount authority of the Emperor, yet availed themselves so dexterously of the distractions of the empire, as to become almost independent.

The dignified clergy were no less richly endowed. Besides large temporal possessions and jurisdictions, the spiritual authority of the bishops pervaded the whole country. The Abbot of St. Gallen owned the chief part of the Rhinthal, and of the country of Appenzel. Seckingen was sovereign in the valley of Glaris. The nunnery at Zuric held the greatest part of the dale of Uri. The Beron-minster in Argau possessed ample estates

CHAP. III.

in the same valley, and in Schwitz and Underwalden: some lands in Underwalden belonged to the canons of Lucern; while those of St. Ursus at Soleure, and of St. Saviour at Shaffhausen, had the highest prerogatives within their towns. The sanctity of Our Lady of the Hermitage[28] secured to it a more extensive and prevailing authority, and a greater source of riches, than its landed possessions. Large tracts among these mountains were likewise granted to foreign abbeys. The town of Lucern, and a considerable district round it, were some time the property of the abbey of Murbach in Alsace; and the Rhætian valley of Valteline, had been ceded by Charlemagne to the abbey of St. Denis near Paris.

Most of the cities had now obtained the privilege of chusing their own magistrates, and various franchises, which gradually raised them to a level with the counts and prelates; but their conscious energy, their industry and frugal habits, were far more advantageous to them than the municipal rights they, from time to time, wrested from the reluctant lords. The power of these lords could only endure while the people lived separate and unconnected. A freer intercourse, and a spirit of association, soon checked its prevalency, and gradually brought on its final abolition.

[28] Einsidlen.

## CHAP. IV.

### *The Swiss.*

CHAP. IV.

WHILE the Dukes of Zæringen were, under the supremacy of the empire, exerting their authority over the fairest part of Helvetia, and many powerful counts and prelates were struggling with the rising cities for pre-eminence and local franchises there existed in the midst of them, a race so little known, so unobserved, that the Abbot of Einsidlen, when he obtained grants in the parts it occupied, found it practicable to conceal its very name from the Emperor; thus precluding an accurate demarcation of the boundaries, and the limitation of future claims. This small tribe was no sooner noticed, but it immediately displayed all the firmness and energy, joined with temper and moderation, it has since manifested on numberless occasions. Amidst gay meadows, at the foot of a lofty mountain,[1] and not far from the banks of the lake of Lucern, stood its capital burgh Schwitz,[2] from which all Helvetia has since derived its name and independence. The sides of the surrounding mountains are variegated with gay verdure, and the dusky hue

[1] The Haken. [2] *Suites*, occurs in the ancient records. It will be a useful orthographical distinction to write *Schwitz* and *Schwitzers*, when this particular town, canton, or people are meant; and to appropriate *Swiss* and *Swisserland* to the nation and country at large. Fastidious critics would, no doubt, reprobate as a quaintness, the softening the former appellations into *Switz* and *Switzers*; but *Switzerland* is manifestly a spurious derivation.

CHAP. IV.

of pine forests: several of their summits are bare rocks. This alternate mixture of dreary waste, of fertile lawns, of scattered dwellings, and peaceful flocks and shepherds wandering on the downy turf; the variety of glowing tints displayed by the sunbeams on the massy rocks, the splendor of the lake, the pureness of the air; the consciousness of security, derived, not from artificial fences, but from the perpetual bulwarks of insurmountable precipices; the ease and freedom of a pastoral life; all tended to inspire this people with a contented cheerfulness, and dauntless intrepidity, to which they owed the ardent love of independence, which to our days has eminently distinguished them even from their free-minded neighbours and confederates. Never, unless when misled by artful demagogues, have they deviated from their primitive maxims of justice, candour, and inflexible integrity.

Their origin.

Concerning their origin, the following is the oral tradition which has been handed down through many generations, and still obtains among them. 'An ancient kingdom in the north, 'either in Friesland or Scandinavia, was once visited by a 'famine: the people assembled, and the majority decreed 'that every tenth man, with his family, should evacuate the 'country. Lots were cast; and those on whom they fell 'quitted their native seats, amidst the cries and lamentations 'of their friends and kinsmen: the mothers, in deep dismay, 'led out their helpless infants. In three bands, under three 'leaders, came forth six thousand hardy gigantic men, with 'their wives, children, and most valuable effects. They swore 'never to forsake each other; and prayed to God to grant 'them a land like that of their forefathers, where they might 'graze their cattle, without fear of molestation or oppressive

'power. God brought them to a vale in the Alps, where 'they built Schwitz. The people increased in number. They 'spared no labour in clearing away the woods; but when the 'vale could no longer contain them, some went over to the 'black mountain,[3] and some to the white lands.'[4] If these traditional songs be compared with what we learn from more creditable historians,[5] it appears well attested that this original race, gradually spread itself all over the high mountainous tract between Schwitz and Gruyeres. The date and circumstances of this migration are not known: people like these, paid little attention to the lapse of time;[6] and the traditional accounts of famines in the north are frequent, and common to various countries: nor can the names and incidents related in these songs, since the ancient language of the Swiss has been gradually disused, afford any clue to the industrious antiquary.

Their first constitution.

The earliest of these songs boast of an absolute independence; and it is attested by records, that this people voluntarily applied for, and readily obtained the protection of the Emperor.[7] This singular distinction was peculiar to the Swiss, and by no means extended to the inhabitants of the neighbouring valleys. Many individuals among them, however, acknowledged a limited subjection to alien lords, both spiritual and temporal; to the Counts of Rapperswyl; the abbeys of

[3] Mount Brunig in Underwalden.

[4] Oberhasli among the glaciers, between St. Gothard and the lake of Thun.

[5] Paul Warnefrid, Etterlin, Bertin, &c.

[6] Events are frequently blended together in old traditions, though thousands of years may have intervened.

[7] *Sponte nostrum et imperii dominium elegistis,* says the Emperor Frederick the Second, in a charter of the year 1240.

CHAP. IV.

Lucern, Einsidlen, and Beron-minster; the nunnery at Zuric; but especially to the Count of Lenzburg. Their laws were those of the Alemanni: they were administered by the Duke of Suabia as Imperial Præfect. The advocacy of the country was, by free election, conferred for a limited number of years, to the Count of Lenzburg, whose immediate protection, in those convulsive times, and the frequent absences of the Emperor in his distant wars, they could not well dispense with. Nothing of moment was however transacted without the concurrence of the people in a public assembly, both of the freemen and vassals. The body of the people chose their chief magistrate.[1] This office was invariably conferred on men of free condition, good repute, and adequate property. Vassals were not eligible; the honour of a free people necessarily implying the independence of its chief. No law excluded indigence from this high office; but it would have been detrimental to the less substantial shepherd, who had to tend his cattle from alp to alp, to have been bound to a permanent residence in the valley, which the administration of public affairs indispensably required. To the office of jurors, they chose only such men, as either through the frugality and industry of their forefathers, or their own thriftiness, were possessed of a competency. Plain sense, until warped by specious sophistry, will ever point out intuitively, that those only who have a real interest in it, will be earnestly solicitous for the welfare and independence of their country. Trifling differences were compromised by seven, and sometimes nine jurors: when honour was concerned, the number was doubled; and

[1] Landamman: Minister Vallis, in the records.

in contests of higher moment, it was still further increased, either by the summons of the chief magistrate, or the election of the district in which the cause depended. There are still traces in Schwitz of a *street-court*, which consists of the first seven men who happen to assemble in the street, where the parties are contending on trivial matters. Capital offences were tried by the Imperial commissary; but ever in public, and within the country. Nothing less than the supreme authority of the Emperor, could in those ungovernable times, control the vindictive wrath of injured parties.

Their country divided into Cantons.

The Swiss dwelt for some time in scattered habitations, throughout the woods and deserts of the Alps, and had but one place of public worship. After some time they built another church;[9] and at length, when by a long period of progressive industry and population, a great part of the country had been cleared and fertilized, many villages, besides the primary ones of Schwitz, Altorf and Stantz, arose by various incidents, of which no particulars have reached our knowledge. The valleys of Schwitz, Uri and Underwalden, all which open upon the Forest lake, became now, by the increase of their religious, as well as municipal institutions, in a manner unconnected; although to strangers they still appeared as one undivided state. Those of the people, on the other hand, who had wandered over the mountains to the vale of Hasli, having spread beyond the limits of friendly intercourse, and not having the same foes to contend with, became gradually a distinct community, and were in time wholly estranged from this

[9] In the Muotta vale, above Schwitz, where to this day there is an insulated church, which the people of these valleys still hold in great veneration, probably on account of its great antiquity.

CHAP. IV.

ancient Confederacy. The manner in which the country, thus occupied by the Swiss, became divided into three cantons, may be inferred from the example of the distribution made in the valley of Underwalden, when the district above the forest[10] grew much more populous than the lower one near Stantz. The general assemblies of the whole people were held at Wieserlen, near the centre of the country; but the courts of judicature were stationary at the chief burgh Stantz, whence the people had originally spread to the different parts of the valley. The more populous district, however, the tract above the forest, was allowed to chuse a double number of jurors for the assizes; but it likewise bore a double share in

1150. the public expenditures. This people observing soon after, that most persons of property had settled at Stantz, in order to be near the seats of government and justice, thought this an unequal distribution: they demanded an assessment of the poll-tax according to the circumstances of the contributors, or else that the court should be transferred into their territory. This met with strong opposition. At length, however, the people of both districts held a meeting, and came to an agreement: 'that a landamman and jurors should hold assizes at 'Sarnen for the people above the forest, and that a similar 'tribunal should continue at Stantz for those below the forest: 'that the general assemblies of the people should continue to 'meet at Wieserlen; but that both communities should be 'authorized to hold distinct assemblies at Stantz and Sarnen: 'that the larger district should have the custody of the great 'banner of the canton; but that those of Stantz might have

[10] The Kernwald; which runs across the Canton nearly north and south.

'a banner of their own.' These two districts became thus so independent of each other, that, though they jointly formed only one member in the Helvetic Confederacy, yet each has more than once been known to engage in a war without the participation of the other. Underwalden contained of late only a few villages more than it numbered at that period: the territory of Schwitz had then not half the extent it has since obtained; and the people of Uri had not yet the sovereignty of Urseren, nor any authority in the Leventine valley. Freedom indeed existed among this people; but it was not universal. Except that their manners were somewhat softened by the precepts of Christianity, the Swiss might, at this early period, perhaps not unaptly, be compared to the five Indian nations on the Canadian lakes. CHAP. IV.

First notice of them

This people, the restorers of freedom and of a foederal union, of which Helvetia had, since the victory of Cæsar, been deprived for upwards of twelve centuries, had now continued long in a state of happy obscurity, unnoticed and unenvied, when Gerard of Froburg, Abbot of Einsidlen, charged them before the Emperor Henry the Fifth, with having driven their cattle upon the lands belonging to his abbey. The increasing herds of the subjects of Einsidlen, had, in fact, met those of the Schwitzers on grounds which the latter considered as their hereditary property. The limits had been inaccurately defined in the grant of Henry the Second; and the abbot thought, that under the denomination of the *boundless waste*, were comprized whatever lands in these parts he might be inclined to occupy. Both parties refused to yield; and contests ensued similar to those of the patriarchs, when they dug wells in the desert of Gerar. The prelate inflicted his spiritual censures,

CHAP. IV.

and summoned the people before the tribunal of the Suabian lords. The people paid no regard to either, deeming themselves amenable only to the Imperial court. In this court, at
1114. Mentz, they were at length sued by the abbot. Few of them could probably either read or write: they knew nothing of the grant; but they endeavoured to establish their claims by the testimony of their aged fathers. A mere informality may here, as in many other cases, have converted right into wrong. The Swiss were cast; but they resolved, notwithstanding the award, to maintain with firmness what they considered as their prescriptive right. Their contumacy passed for some time unnoticed; but the monks, after an interval of thirty years,
1144. obtained from the Emperor Conrad the Third, a positive decree, that the people of Schwitz, whom this more immediately concerned, and Count Ulric of Lenzburg, their advocate, do, without delay, under pain of incurring the imperial interdict, obey the sentence. The Schwitzers declared, 'If the Emperor, 'regardless of our long established right, and in contempt of 'the memory of our forefathers, pleases to grant away our 'Alps to the rapacious monks, what need we his protection? 'henceforth let our right arm protect us.' The indignant Emperor put them under the ban of the empire: the Bishop of Constance excommunicated them; but they feared neither the Emperor nor the thunder of the church; nor could they conceive that to defend a just cause, was an offence before God. They were joined by Uri and Underwalden: they continued to trade with Zuric and Lucern, where the markets, pursuant to the privileges of those cities, were free even to outlaws: they compelled their priests to officiate as usual; and they tended their cattle unaided and undaunted. In this

they were encouraged by the doctrines Arnold of Brescia had propagated in these parts; and they were countenanced by most of their neighbours. Frederick the First having ascended the Imperial throne, Count Ulric of Lenzburg, advocate of these valleys, came among the people, assured them that the Emperor loved brave men, and exhorted them to follow him in his wars, after the example of their ancestors; and to pay no regard to the vain menaces of the monks. The hearts of the people are ever in the hands of magnanimous heroes; and this people has ever been loyal, when not wantonly oppressed. Six hundred youths cheerfully grasped their arms, and marched 1155. over the mountains into Italy, in the cause of the friend of their honoured leader. Frederick and his successor experienced a series of misfortunes; but nothing could abate the love, or shake the fidelity, these people had vowed to the monarchs of the Suabian race.

Long after the death of Ulric, the friend of the Swiss, and last reigning Count of Lenzburg, and soon after the confederacy of the three cantons had been once more renewed under Walter of Attinghausen, Landamman of Uri,[11] Rudolph Count of Hapsburg, and Landgrave in Alsace,[12] obtained 1210. by free election, the office of Advocate of Underwalden. As he held the same office in the abbey of Murbach, his influence in Lucern might have been beneficial to the neighbouring countries: his power was certainly formidable. The Emperor Otho the Fourth, of the house of Brunswick, who courted the favour of the great, in order to establish his throne against the preceding Suabian line, readily seconded Rudolph.

[11] These renewals appears to have been decennial.

[12] Grandfather to the great Rudolph.

CHAP. IV.

in his plans of aggrandizement; and, being apprized that the Swiss had favoured the rival race, he constituted him Imperial Commissary over the three cantons. They accepted him reluctantly, and not until he had solemnly engaged to defend their rights and maintain their independence. In this capacity he presided over the criminal judicature, guarded the highways and waters against depredations, and quelled all public frays and disturbances; for men in those times were ever prone to gratify their love, hatred or revenge, with uncontroled impetuosity; confiding, during life, in their own energy, and that after death their trusty friends would vindicate their cause.

1214. Count Henry of Rapperswyl molested, about this time, and drove the shepherds and herds of the Schwitzers from the lands claimed by the Abbot of Einsidlen, but which they still continued to occupy, and to defend as their hereditary pro-

1217. perty. This contest was adjusted by Count Rudolph, in the presence and with the concurrence of the chief magistrates, and many reputable men of both parties. Some of the lands were shared and appropriated; others remained still in common: the tranquillity that ensued was not however of long continuance. The jarring interests of the clergy and laity, and the multitude of feudal rights claimed by the nobles, could not fail in these times of perpetual factions and extortion, to furnish frequent pretences for strife and animosities, in which these cantons appear to have been repeatedly involved.

Thus were the Swiss, in the year when the great Rudolph of Hapsburg was born, living in their native freedom and foederal union, in increasing prosperity, strenuous in the maintenance of their rights, and reluctantly yielding to the official authority of the elder Rudolph, his grandfather. In the same

year, on the fourteenth day of February, in the ninety first year of the Zæringian Vicegerency in Burgundy, and in the twenty seventh after the foundation of the city of Berne, died Berthold the Fifth, of Zæringen, whose power had been most prevalent in Helvetia, often for the purpose of protection, but not always without some imputation of injustice. [13]

[13] The following curious passage, singularly descriptive of the character of the Swiss, has lately been discovered in a MSc. Chronicle of the abbey of Corvey, which appears to have been written about the beginning of the twelfth century. 'Religionem nostram, et omnium Latinæ ecclesiæ Christianorum fidem, laici ex Suavia, 'Suicia, et Bavaria humiliare voluerunt; homines seducti ab antiqua progenie simplicium hominum, qui Alpes et vicinam habitant, et semper amant antiqua. In 'Suaviam, Bavariam et Italiam borealem sæpe intrant illorum (ex Suicia) mercatores, 'qui Biblia ediscunt memoriter, et ritus ecclesiæ aversantur, quos credunt esse novos. 'Nolunt imagines venerari, reliquias sanctorum aversantur, olera comedunt, raro 'masticantes carnem, alii numquam. Appellamu . Horum 'quidam ab Hungaria ad eos convenerunt, &c.'

## CHAP. V.

### *Rudolph of Hapsburg.*

CHAP. V.

THE rich inheritance of the powerful house of Zæringen fell, after the demise of its last duke, into the hands of various claimants.[1] Ulric of Kyburg, the brother-in-law of Berthold the Fifth, obtained his allodial estates in Upper Burgundy; the Duke of Teck, and the Count of Hohenrauch, entered on all his lands in Suabia; and the landgraviate of Brisgau devolved to the Margrave of Baden. Berne and Zuric applied to the Emperor Frederick the Second, for a confirmation of their privileges; and being both situate on the territories of the empire, they were declared free imperial cities. The two Friburgs in the Brisgau and Uchtland, having been built on private heritable lands, remained under the patronage of advocates; the former of the house of Hohenrauch, and the latter of Kyburg. The vicegerency of Burgundy was, with some abatement of its honours and authority, committed successively by the Emperor, to various noblemen of different families, and even to cities. About this time were celebrated

1 Times during his infancy.

[1] Herman, the ancestor of the house of Baden, was son of the first Berthold of Zæringen, who died in 1077. The father of Albert, the founder of the house of Teck, was son to Conrad of Zæringen, who died in 1152. Ann, sister to the last Berthold, was married to Ulric Count of Kyburg; and another sister was wife to the Count of Hohenrauch.

CHAP. V.

the nuptials between Hartman, the son of Count Ulric of Kyburg, and Margaret, daughter of Thomas Count of Savoy. Her brother Peter was emerging out of infancy,* when Rudolph the son of Albert of Hapsburg, and of Hedwig sister to the above Hartman, was born. These two men have since occasioned memorable events, and vicissitudes in the political state of their respective countries. After this time, a period of twenty years elapsed, in which there is little to commemorate but frequent struggles between the counts and cities, the progressive increase of the latter, and the gradual improvements of industry and agriculture, whose peaceful annals are far more grateful to men of just discernment and benevolent hearts, than the splendid details of bloody victories are captivating to the vulgar. 1218.

State of Berne.

The city of Berne, at this time confined within narrow limits, and possessing only two forests and one pasture, did notwithstanding, more than once, cope with powerful counts and monarchs, and obtained an influence in Burgundy, little inferior to that which had been exercised by the Dukes of Zæringen. This energy it owed in a great measure to the peculiarity of its local situation, which rendered a strict adherence to certain invariable maxims indispensably necessary for its preservation.

Its Constitution and Manners.

At the time when the Emperor raised Berne to the rank of an Imperial city, the body of its burghers consisted of freemen, and of vassals. Each burgher, as a pledge of his fidelity, was bound to become a householder. Each, without any regard to kindred, might prosecute the assassin of a co-burgher, either

* He was born in the year 1203.

CHAP. V.

by legal process, or by duel. At the age of fourteen they entered into the full enjoyment of their privileges: at fifteen they swore allegiance to the Emperor, the city and its magistrates: they prided themselves in their municipal prerogatives, and eagerly resented every attack upon the honour of their city. Surrounded by formidable rivals, they lived in fearless independence, and in the full enjoyment of all the freedom compatible with civil society. Respectful submission to parents was strictly enjoined; and it was even enacted by a special law, that if a son and his wife resided with his mother, the parent should always retain the upper place on the hearth on which they partook of their meals. The avoyer and senate were elected annually by the collective body of the burghers: whenever they had an advocate, he was of their own choosing. A banneret was in subsequent times appointed for the superintendance of all matters that related to the military, the taxes, wardships and inheritances. In affairs of great moment sixteen burghers, chosen by the body at large, were added to the senate. These offices were held alike by nobles and plebeians, without any distinction of rank, without pride or jealousy, and, being considered as services which the commonwealth had a right to claim, without gratuity. This senate was the supreme magistracy in Berne: its decrees could only be reversed by a mandate of the Aulic court of the Emperor. This constitution, with few exceptions, was common to many other cities. The senate in those days did not consist of men of common energy, or better skilled in domestic rivalry and selfish intrigues, than in the great concerns of the community, and its relative interests with other states. Many of its first avoyers and members are extolled in the annals of their

country, and their names are still pronounced with gratitude and veneration.[3] Finding no longer the security they looked for from the protection of the Emperor, whose perpetual and distant wars drew his attention elsewhere, these patriotic rulers, jointly with the people, resolved to trust to their own means for protection: and this confidence, together with the superiority of its constitution, and the wisdom of its administration, soon spread the fame of the prosperous city, and attracted a concourse of fresh inhabitants of every rank, from various parts of the adjacent country, more especially from the Alpine district, which, from its high situation, has obtained the name of the Oberland.

(The Oberland.)

Advancing from Berne along the Uchtland, many hills rise on each side the Aar, on most of whose summits are to this day the remains of ancient castles. Many rapid but fertilizing streams issue from among the valleys, and swell the river. At Thun, a lake almost unfathomable presents itself among steep mountains, which, to the eastward, join to the great cluster of the St. Gothard: their summits often seem to rest on clouds. Further on, the Aar, after bursting from a meer,[4] surrounded by still higher mountains, descends with rapid velocity across a fertile plain, and pours its waters into this lower lake near Interlachen. The higher the traveller ascends into the Upper Alps, the more will he be struck with the immensity of the scenery: as he proceeds, he will wander over many craggy paths, through the lofty dales of Hasli, till he arrrives at the edge of tremendous precipices, bordered by vast forests of dusky pines,[5] interspersed with the less gloomy

[3] Jagisdorf, Egerdon, Buchek, Bubenberg, Eschenbach, Wattewille, Erlach, &c.

[4] The lake of Brienz.

[5] Pinus cembra.

CHAP. V.

rosebay,[6] feltwort,[7] winterbloom,[8] savin,[9] and the aromatic, but humble flowerets of the bay-leaved willow.[10] Here the slippery turf limits both the pasture of cattle, and the hazardous steps of the inquisitive traveller. Mountains of snow, and immense piles of everlasting ice, succeed, and involve the towering peaks of the Wetterhorn, the Schrekhorn, and the Jungfrauhorn, three of the most lofty summits of the Alps. Not far to the eastward, on the Grimsel, springs the Aar from an icy cavern. In deep crevices are seen large sparkling crystals: scarce a chamois ventures to bound along the crags; and from inaccessible caves are heard the shrieks of a few solitary vultures.[11] Except one or two lonely paths that lead across this frozen tract, no vestige of a human being occurs during several days journey. The venomous wolfsbane[12] is here a cheering sight, being the only produce of vegetable life. Still higher to the westward is mount Gemmi, a bare and shivered rock; at the summit of which, above the lake Dauben, the eye is at length gratified by a distant view beneath, of the towns, villages and scattered dwellings in the Valais. This maze of narrow valleys, intersected by foaming torrents, and overhung by stupendous precipices, is the Oberland. It is, to the utmost borders of vegetation, inhabited by shepherds and their cattle. Freedom alone attracted population to these inhospitable regions; whilst many luxuriant parts of Asia lay waste, because deprived of freedom. Many nobles who resided on their estates, and among these, chiefly the

[6] Rhododendron ferugineum.
[7] Gentiana cruciata.
[8] Azalea procumbens.
[9] Juniperus sabina.
[10] Salix pentandra.
[11] Falco chrysætos. Will. Orn. 27. t. 1.
[12] Aconitum napellus.

Counts of Gruyeres, were proprietors in these sequestered valleys; but the freemen preserved among themselves a patriarchal sway, which, if any one attempted to exceed, he was sure to be resisted. These shepherds guarded the fastnesses at the entrance of their valleys, and feared neither the Kings of Burgundy, nor the whole power of Zæringen. The people of Hasli had, like the Swiss, a landamman of their own chusing, and an imperial commissary, who administered the criminal judicature: for the latter, they paid an annual tribute of small amount: a steward administered the imperial domains. After Berne became a refuge from the oppressions of the counts, many nobles, as well as peasants, resorted thither, allured by the security and conveniences afforded by the city: many also who were unwilling to forsake their lands, sought, notwithstanding, the protection of the municipality, and were admitted as co-burghers. Such was the progress of Berne in its increase of population, and such the influence it gained among the people of the higher Alps. Cities for the most part rise into consequence after a long period of tranquil obscurity: but Berne, even in its earliest infancy, exerted the vicarious power of the empire, tried the fate of arms against the Counts of Kyburg, invaded the Roman Helvetia, decided many disputes, formed alliances with Friburg, Laupen, the Valais, Bienne and Hasli, and excited the jealousy of all the more powerful lords, who saw with indignation the aggrandizement of this secure refuge from their oppressive sway.

Zuric, &c.

The other cities of Helvetia experienced no material changes on the extinction of the house of Zæringen. At Zuric, an imperial commissary, as usual, enforced the criminal law; and, jointly with the municipality, provided for the security

CHAP. V.

of the roads, the navigation of the lake, and the safety of individuals. The abbess of the great monastery, and the four and twenty canons of the minster, appointed stewards to their manors; who, under the sanction of the Emperor, administered them according to established laws, and were in many instances restrained by local privileges. In the lordship of Mur, the tenants were allowed to redeem the first night's cohabitation with their brides, for fifty shillings: at Neftenbach, the father of a new-born son had a right to two waggon loads of wood; for a daughter he received only one load. The political institutes of those times had chiefly in view the inviolable security of the persons and property of each class of citizens: no unlimited authority could hence be tolerated; and the meanest individual was allowed to aspire to the highest honours. Some tradesmen attempted even then to prevail on the abbess to purchase their work preferably to that of others; not on account of its superior quality, but because it was made by freemen of Zuric. The clergy resisted the demand of a subsidy towards building the city walls; but the senate, aware that their treasures were not all in heaven, thought it reasonable that they should contribute towards the defence of those they possessed on earth. Measures were also taken to compel them to dismiss their concubines, and to lead more exemplary lives. The monks might well execrate the doctrines Arnold of Brescia had disseminated. At the revival of the animosities between the Imperial and Papal parties under Frederick the Second, Zuric being favourable to the former, its clergy were enjoined by their ordinaries to abstain from the celebration of mass, and to refuse baptism and burial to the Ghibelins. The monks upon this were ordered by the magistrates either to

continue the exercise of the ecclesiastical functions, or to quit the city. The predicant friars withdrew: but the provost of the minster represented to the Bishop of Constance, the great danger of distracting the minds of the faithful by the precipitate retreat of the clergy; and on the other hand, the hopes entertained by the canons of being able, if they should be allowed to continue in their abbey, to bring over many innocent minds from the gross errors under which they laboured, and to restore them to the pale of the church. A decree was in consequence obtained from Rome to soften the rigor of the former mandate: but before it arrived, the order of the senate had been renewed for the clergy to take their option; upon which all the ecclesiastics withdrew on the same day, the barefooted friars only excepted, who, without much reluctance, 1248. yielded to the compulsion of remaining, and continuing the celebration of the sacred offices. The clergy could not long bear to forego their revenues: they solicited the Pope; and at length, the Bishop of Constance being authorized to permit them to perform the ordinary church services, they were reinstated. Thus, while the clergy were bidding defiance to the Emperor, and other powerful princes, were they controled by the unshaken firmness of the burghers of this stubborn Ghibelin city.

Peter of Savoy.

After the Emperor Frederick the Second had, during a period of more than thirty years, asserted an extent of dominion reaching from the coasts of Africa to the frontiers of Denmark, and maintained his power with spirit and magnanimity against the encroachments of priests and secular princes, and the insidious attempts of many traitors, his authority at length gave way to the prevailing spirit of the times. When

CHAP. V.

the majesty of the throne was no longer able to check the progress of insubordination, or afford protection to injured innocence, individuals, destitute of the means of self-defence, sought for security, as on former similar occasions, either by combining in numerous confederacies, or by placing themselves under the protection of some powerful prince or prelate. Peter Count of Savoy became, about this time, particularly eminent among his contemporaries by his valour and generosity: his fame soon spread through distant countries; and even in England, his influence at court was far greater than is usually allowed to strangers.[12] Such was the energy of his character, that he was generally allowed the appellation of the *Little Charlemagne*. Even in the narrow circle of domestic life, he succeeded (which has happened to few besides Cæsar and a late Prussian monarch) to impress on his intimates and familiar attendants a persuasion of his greatness. The people whom he governed and protected, have long after his death continued to ascribe all glorious exploits, and the splendid institutions of these times, to his vigorous and benevolent exertions. The Berners preserve the following tradition: 'Our city 'had not one foot of land on the other side the Aar, against 'which to lean a bridge. At length we purchased a field, and 'began the structure. We had reached half way across the 'river, when the Count of Kyburg sent us an order to desist.

[12] He came to England in 1240, where his niece, Eleanor Queen to Henry the Third, procured him a kind reception. He was created Earl of Richmond and Essex, acted for a time as prime minister, and was made Governor of Dover, and other important places; but at length, aware of the jealousy these high distinctions were likely to excite among the nobility, he prudently withdrew in 1255. He was recalled in 1257, and negociated a peace with France. The palace called the Savoy is said to have been built for his residence.

With arms in one hand, we continued the building with the 'other; but the count sent forces, and we were weak in num- 'bers. In this dilemma one of us stood up, and extolled the 'heroic virtues of Peter of Savoy. This young count had 'many brethren, and was far from opulent. Two of our 'nobles, disguised as monks, crossed the mountains of the 'Oberland, met him at Chillon, and requested his assistance. 'Our confidence excited his generosity; and he came without 'delay. He pleaded our cause so effectually with the Count 'of Kyburg, whose brother had married his sister, that an end 'was put to all further opposition. He then returned to Berne, 'and in order to promote the work, laboured at the bridge 'himself. We also consulted him when the suburbs near the 'bear's ditch were founded. Five hundred of our hardiest 'youths followed him soon after in his wars. On a day of 'battle he swore that, if he conquered, he would refuse nothing 'to the Berners. God and our arms gave him the victory. 'Our banneret then told him, "We want neither gold nor "silver; but we request the grant of the advocacy you have "received from our city: give us this; and be no longer our "master, but our friend." 'The Count, although reluctantly, 'surrendered the grant, and entered into an alliance with 'us, which was faithfully observed by both parties until his 'death.'

As long as the life of the Emperor Frederick the Second admitted a doubt, whether his firmness might not ultimately extricate him from the difficulties that perplexed the latter years of his tempestuous reign, so long did the Counts of Savoy conduct themselves with the circumspection which became them as friends of the Emperor, and at the same time

CHAP. V.

relations of the Pope.[14] After his death, when William Count of Holland was, by some, acknowledged king of the Germans, and strife and violence became prevalent throughout the empire, several towns and districts sought the protection of Count Peter, and willingly placed themselves under his advocacy. Among these were Payerne, Morat and Vevay: but he was urged with far greater importunity by the inhabitants of Moril in the Upper Valais, to skreen them against the wanton tyranny of Mangepan their lord; who, secure in his strong castle on a rock, oppressed his people with remorseless cruelty. Peter, although opposed by several other lords, and even by the Bishop of Sion, who reprobated every attempt to control their lawless power, advanced into the Valais, razed the walls of Sion, demolished the castles of Mangepan, Leuk, and other lords, and penetrated as far as the district of Gombs, near the sources of the Rhone: he thence returned to the abbey of St. Maurice, where he met the Bishops of Lausanne and Sion, and several other dignified priests, and received from the hands of Rudolph the abbot, the ring of Mauritius, the holy warrior and martyr, which the count ordered to be religiously preserved in his family.[15] Rudolph Count of Gruyeres performed here, or perhaps renewed, his homage to the house of Savoy. Peter proceeded thence, and chastized Rudolph Count of Geneva for having withheld his homage: he imposed on him a fine of twenty thousand marks of silver, the payment of which he secured by seizing several of his strong holds

[14] Innocent the Fourth. Thomas the Second, elder brother of Peter, had married Beatrice Fiesco, niece of the Pope.

[15] The Counts of Savoy have ever since been invested with this ring

CHAP. V.

When Richard Earl of Cornwall accepted the precarious authority he held during a short interval, as head of the empire, he cast his eyes upon his kinsman, Peter of Savoy, and expected no trivial services from him, in the prosecution of his feeble title to the first throne in Christendom. Hartman, the last Count of Kyburg, dying without male issue, Peter 1263. found no difficulty in obtaining from Richard all the feudal tenures that house had held under the empire. The traditionary annals of the Pays de Vaud relate, 'that their more 'powerful barons, jealous of the rising fortune of Savoy, made 'an attempt upon Chillon, which Peter successfully repelled, 'took several of the assailants prisoners, and compelled them 'to swear allegiance to him: that he then marched with 'great force all over the country; reduced some refractory 'towns, and kept most of them in subjection by strong towers 'and garrisons:[16] that he next resorted to the Imperial court 'for investiture; and appeared before the Emperor in an 'armour, one half of gold, and the other of steel, thereby de-'noting that he had acquired the Pays de Vaud, partly by 'arms, and partly by purchase: that being called upon to 'name his sureties, he pointed to his sword: that during his 'absence, the Counts of Gruyeres and Geneva, and the Lord 'of Montfaucon threatened a revolt; but that he hastened 'back with a body of English forces, and soon convinced 'them of the rashness of their attempt.' By what means he obtained his many acquisitions, whether by election, by the revival of antiquated claims, or by mere force of arms, is variously related; but, amidst this uncertainty, it is well

[16] Moudon, Romont, Morat, Iverdun, Tour de Broye, Tour de Peyl near Vevay; the latter of which bears, by corruption, the name of Peter, (Peyron.)

CHAP. V.

attested that he added to his hereditary dominions, one half of the temporalities of the bishoprick of Lausanne, many episcopal castles in the Valais, many advocacies of considerable towns in the Pays de Vaud, many forts and advocacies of the Counts of Geneva, Gruyeres and Neuchattel, and the feudal supremacy over the Lords of Montfaucon, Montenach, and several other nobles. From him is dated the power of the house of Savoy in these parts; a power till then wholly unknown. He appointed Hugo de Palisieux his governor in this newly acquired province. The states assembled occasionally at Moudon, in the presence of this governor,[17] who, whenever required by legal authority,[18] was bound to summon an extraordinary meeting within three weeks from the day of the requisition. The list is numerous of the ecclesiastical and lay lords, and deputies of towns, who had seats in this assembly. No one could class among the barons who had not five and twenty vassals, and an annual income of at least three thousand livres. The rank of count could not be assumed without the approbation of the states. All legislative acts required the sanction both of the prince and states: all causes were finally determined, not by the arbitrary decree of the prince, but either by the states general of Savoy, or by the supreme authority of the Emperor. On this free and equitable constitution, similar to that of which Count Peter had seen the early progress in England, did the princes of Savoy long

[17] This officer was called *Bailli de Vaud.*

[18] The assembly and privileges of these states have of late been a matter of much controversy, in which Col. la Harpe, and M. de Mulinen, have strenuously contended; the former in favour, and the latter against, the right of their being convened, independently from the authority of the sovereign.

after rely for the preservation of this conquered province. Sovereigns, before the introduction of standing armies, were well aware that compulsive means were at least dangerous, if not altogether impracticable. CHAP. V.

The Swiss were at this time, as they have often proved themselves at others, firm and undaunted amidst the perils of wars and threats of excommunication. When, during the Bavarian war, Henry of Thuringia, the Emperor elect, applied to them for six hundred auxiliaries, they sent the number without delay, as soon as he had taken from the Count of Hapsburg the office of Imperial commissary, in which he had oppressed them. Their chosen band fought with such valour against the Guelphs in Italy, that Henry not only knighted one of their leaders,[19] but also granted to each valley a charter of liberties; in return for which, they willingly put themselves under the immediate protection of the empire. The Swiss. 1231. 1240.

Rudolph had now reached his twenty second year, when his father Albert, who was odious to the Swiss on account of his rigour in the office of imperial commissary, died on a distant pilgrimage. Albert's share of the estates of Hapsburg devolved to Rudolph; but a great part of the hereditary domains of his house, was in the hands of his paternal uncle,[20] who, with his five sons, lived at Lauffenburg on the Rhine. The property Rudolph inherited was moderate: his lands were all in sight of the great hall in his castle. Some advocacies extended his influence to more distant parts; but the power annexed to the title of Landgrave of Alsace, to which he succeeded, was, by the refractory spirit of the times, 2. Rudolph's youth.

[19] Struth Winkelried, of Underwalden.

[20] Likewise called Rudolph, who died in 1249.

CHAP. V.

rendered almost nugatory. In the eager pursuit of his ambitious views, he despised the tardy means of prudence, and suffered the vehemence of his temper to betray him into indiscretions, which, in men less audacious, would have led to ruin. Before the age of forty he had already incurred the odium of his whole family, been disinherited by his maternal uncle the Count of Kyburg, and twice excommunicated by the church. His first contest was with his uncle of Lauffenburg, whom he taxed with having made an unfair partition of the family estates: but the helpless debility of the old count was so effectually protected by his son Godfried, that
1242. Rudolph soon beheld from his castle, the flames which consumed his principal town of Bruck; and was compelled to acquiesce in the grant the old count made of the castle of new Hapsburg on the lake of Lucern, to the nunnery at Zuric. He next gave offence to his uncle Hartman, who had no issue; and extorted from him a large sum, as a compensation for his claim upon the estates of Kyburg: Hartman complied, that he might transfer the bulk of his property to the see of Strasburg; and in order to preclude all further importunities from this intrusive nephew, he made his grant irrevocable. In a
1244. contest with the Bishop of Basle, Rudolph approached with forces, and burnt the convent of the Penitent Sisters in one of the suburbs of that city; for which sacrilegeous deed he, and all his adherents, were put under a severe interdict. He then (perhaps as an atonement to the church) engaged with Ottocarus King of Bohemia, in the crusade against the infidels of Prussia, who were contending with the Teutonic knights for the Gods, and the freedom of their ancestors. His fortunes, which his rashness more frequently obstructed than promoted,

CHAP. V.

took a more favourable turn, as soon as adversity had tempered the impetuosity of his unruly passions.

Dawn of his prosperity.

His mother Hedwig lived to see him reconciled to her family, and to witness an alliance contracted between Hapsburg and Kyburg. Godfried of Lauffenburg[21] also became his friend. The days of the old Count of Kyburg drawing near to a conclusion, Rudolph sought both by persuasion and kind offices, to induce the Bishop of Strasburg to relinquish the hasty grant of Hartman. In this however he failed; and thenceforth he espoused the cause of the citizens of Strasburg against their bishop, and seized on the towns of Colmar and Mulhausen. He allowed no repose to this right reverend prelate during his life; and, after his death, intimidated his successor Henry to such a degree, that he gladly consented to 1263. surrender the grant. In the same year died Hartman the younger, the son of Werner Count of Kyburg, who had inherited the city of Friburg in the Uchtland, Burgdorf, Thun, and other domains; and also held, in right of his wife Elizabeth, several of the estates of Lenzburg. Hartman bequeathed this large inheritance to his infant daughter Ann; but so greatly involved, that both Elizabeth and Ann were in danger of seeing their whole property consumed by their bondsmen,[22] who, according to the custom of the times, lived in taverns at the expence of the debtors. Hartman the elder of Kyburg, soon after this, sent a pressing message to Rudolph, to solicit 1264.

[21] The son of this Godfried, who bore the same name as his father, is reported to have fled to England from the persecutions of his cousin Rudolph (in 1310), and under the name of Fielding, to have been the founder of the illustrious line of the Earls of Denbigh. See Dugdale's English Baronage, T. ii. p. 440.

[22] These bondsmen appear to have been the securities given by debtors.

CHAP. V.

his aid against the burghers of Winterthur, who, in a sudden insurrection, had attacked and nearly demolished his tower near their walls. Rudolph was hastening to his assistance, when news were brought him that Hartman, the last Count of Kyburg and Landgrave of Thurgau, had closed his illustrious line. All the nobles of the county of Kyburg,[23] and from Baden, Thurgau, and the Gaster, who owed allegiance to this house; the magistrates of the several towns and cities, and the heads of the many convents that had been founded or patronized either by his ancestors or by himself, met hereupon at a general assembly; and Count Hartman was entombed with his shield and helmet. Rudolph received the homage of the assembly, and pardoned the insult offered by the burghers of Winterthur. The house of Hapsburg had on no former occasion received so great an accession of power and dominions; but Rudolph, while he was listening to the congratulations of his friends and subjects, was little aware what far greater honours were yet reserved for him by his auspicious destiny.

3. His age of manhood.

Rudolph was high in stature, and of a graceful figure and deportment: he was bald, his complexion pale, his nose aquiline; his mien was grave, but so engaging as to command the confidence of all those who approached him. Both at the time when, with scanty means, he performed eminent achievements, and when, in his exalted station, a multitude of public concerns claimed incessant attention, he preserved a gay and tranquil mind, and a disposition to facetious mirth. His manners were simple and unassuming: his diet was plain;

[23] This county appears in 1299, to have contained forty-four parishes, and above one hundred castles.

and he was still more temperate in the use of spirituous liquors. He once in the field appeased his hunger with raw turnips: he usually wore a plain blue coat; and his soldiers have often seen him darn his doublet with the same hand that grasped his conquering sword in fourteen battles. It is recorded, that he ever preserved his conjugal fidelity to his consort Gertrude,[24] who bore him ten children. He enjoyed pleasures without being subservient to them; and hence did he never want either time for labour or relaxation, or in old age, health and vigour for powerful exertions.

While the succession to the dominions of Kyburg had supplied Rudolph with the means of prosecuting his ambitious views, Richard of Cornwall, whom he had refused to acknowledge as king of the Germans, was kept a prisoner in England; and no prince of the empire had either courage to aspire to, or sufficient skill to compass the Imperial throne.[25] A total want of subordination had now given free scope to mere bodily strength, and the raging passions of individuals; and the rapacity of an unruly soldiery left neither plunder for the audacious robber, nor bread for the defenceless citizen. All

[24] Of the house of Froburg and Hohenberg. He married her in 1245, and she died in 1281.

[25] Historians, especially in England, have for the most part confounded the titles of the heads of the empire. Before the year 1509, they were merely stiled *Kings of the Germans, or Romans,* till they had been crowned by the Pope, and thereby declared Emperors. Maximilian the First, in the year abovementioned, obtained from Pope Julius the Second, a formal dispensation, by virtue of which, he and his successors have ever since assumed the title of *Elected Roman Emperor,* without the ceremony of the coronation at Rome. Thus Rudolph never bore the title of Emperor.

CHAP. V.

social institutions had yielded to anarchy and confusion. Rudolph had been early trained to arms; and peaceful enjoyments were neither suited to his temper, or to the circumstances of these calamitous times. Although his dominions were now extensive, yet as his authority was chiefly derived from the offices of advocate or commissary, his power was by no means commensurate with the wide compass of his territories. In order to strengthen his ascendency, his policy led him to countenance the burghers, who, thus encouraged cheerfully obeyed him, and submitted to the strict discipline which alone insures success in arms. Their municipal law had moreover inured them to the habits of order, which the nobles scorned to adopt: their commerce and industry supplied them with the sinews of wars: their deep speculation and frequency of intercourse, exercised their intellectual faculties, and heightened that acuteness which fitted them for the dextrous stratagems, secret correspondences, and subtle devices, on which, particularly in these times, successes both in war and negociation chiefly depended. Rudolph, their advocate and captain, availed himself of their arms and treasures against the rivals of his projected grandeur; and by his fame and condescension obtained both their love and confidence.

Advocate of Schwitz.

Count Godfried of Lauffenburg, cousin to Rudolph, had, in the time of the last Emperor Frederick, whose cause he had espoused against the Guelphs, been stript of the advocacy of Schwitz, and the upper district of Underwalden, and of all the power he derived from the advocacy of Murbach over the city of Lucern, a dependency of that abbey. Henry Count of

CHAP. V.

Rapperswyl having founded the cistercian abbey of Meerstern at Wettingen,[26] endowed it with the fiefs of Sillinen, Gestinen, and all the estates he possessed in the valley of Uri. The vassals in this dell, who, under the lenient government of a monastery, expected more quiet and security than under a temporal lord, willingly swore allegiance to the abbot. But when, under pretence of ecclesiastical immunities, he refused to contribute towards the expences of the country, they solemnly protested against the innovation, and insisted on an equal assessment. The prelate hereupon, being sanctioned by the Emperor, came into the valley, not doubting but that the sacredness of his character, and the imperial mandate, would insure obedience: but the people received him with loud murmurs; and the landamman addressing him said, 'bring 'us no more orders like this. Popes and Emperors may con- 'fer on you what privileges they please; but we also have 'ancient rights and liberties, and a constitution we have 'derived from our forefathers, which, with God's aid, we are 'determined to maintain. If all the lands are appropriated 'to the church, how can the poor layman bear the publi 'charges?' Their resistance to clerical exemptions increase in proportion as the mortmain became more opulent, and in clined them still more to the Ghibelin party, in which, at this time of general mistrust, they had few abettors except the burghers of Zuric. This brought on a triennial alliance 125 between that imperial city, and Schwitz and Uri, which stipulated, that they would mutually defend each other against all undue encroachments of the feudal lords, and every attempt

[26] On the Limmat, between Zuric and Baden. The foundation charter is of the year 1227.

CHAP. V.

of powerful assailants. Twelve venerable men of the most respectable families became guarantees of this treaty: and about this time the people of Schwitz conferred the advocacy of their country on Count Rudolph of Hapsburg.

Captain of Zuric.

The city of Zuric was nearly surrounded by the domains of the Baron of Regensberg, whose principal castle stood on a commanding eminence not far from its northern gates. In the perturbed state of public affairs, during the interregnum, the senate sent six nobles and as many burghers to Baron Lutold, to solicit his protection. He answered, 'Zuric is 'encompassed by my territories like a fish in a net: surrender 'to me, and I will govern you with lenity.' This gave umbrage; and the citizens sent offers to Rudolph of Hapsburg, who readily accepted them. The mutual conditions were immediately drawn up, and confirmed by the usual oaths. This step alarmed the baron, and all his kindred and allies, among which were the Counts of Rapperswyl and Tockenburg,

1264. the Abbot of St. Gallen, and the Bishop of Basle: they armed, and put their castles in a posture of defence; and hostilities soon commenced. After having been harrassed by many false alarms, the baron found himself suddenly attacked at the castle of Wulp on the lake above Zuric. Being unable to defend such distant possessions he mortgaged the seigneury of Gruningen, and resolved to concentrate his forces in his strong holds on the Limmat, and near the city. Rudolph was too skilful to urge the war against these collected forces, during the first impulse of their zeal; he preferred waiting for the abatement of vigilance, which is usually brought on by inactivity, and meanwhile made a diversion towards the head of the lake. He invested the fort Uzenberg with an intention to reduce it

CHAP. V.

by famine; but he was on the point of withdrawing, deeming the place too well supplied to be compelled by want, when a soldier vauntingly threw some live fish over the walls: he thence inferred that the garrison had a secret communication with the lake; and this discovery led to the reduction of the place. After other exploits in those parts, he approached the Limmat below Zuric: he embarked some men, and dropped down near the castle of Glanzenberg. The men having secretly landed, the boatmen threw cloaths into the river, and raised an outcry as if they had been shipwrecked: the garrison hastened down to the river in hopes of plunder, and the men in ambuscade rushed into the castle, and captured it without resistance. He learnt that twelve grey horses went daily out of the castle of Utliburg near Zuric, either for the sake of sport or pillage: he ordered a like number of similar ones to be provided; and on the close of an evening, while he knew the former to be absent, he caused some men from Zuric to pursue his troop with great speed and clamour, towards the castle. The deluded garrison threw open their gates, and the castle was taken and demolished. Facts like these are far better illustrations of a character than whole pages of descriptive qualities. An accommodation took place through the mediation of a kinsman of the baron, who was closely connected with the Count of Lauffenburg, which saved Lutold from utter destruction, and procured him the freedom of Zuric, to which he has since been beholden for the protection he recently withheld from that opulent and aspiring city.

Disputes with St. Gallen

Meanwhile came Berthold of Falkenstein, Abbot of St. Gallen, with a considerable force, to Wyl, in the territories

CHAP. V.

of Kyburg, where Rudolph had inherited many fiefs, for which he had neglected to take the investiture. This, and other hostile proceedings on the part of Berthold, irritated the count; but far from yielding to his resentment, he found it expedient not only to dissemble his animosity, but even to make advances to the abbot for his friendship and assistance.

and Basle. 1267.

The season was arrived when the knights were wont to take the field; and Rudolph met a great number of them at Basle, where they celebrated the carnival. A rooted antipathy prevailed in this city between the nobles and the citizens; and it is not unlikely that, at a festival, the youthful knights may have offended some of the burghers, who were either husbands or fathers. A riot ensued, which the knights did not all survive: they took horse and fled, burning with indignation and vindictive rage. The count rejoiced at an event which afforded him an opportunity of securing the affections of the young nobility, and of availing himself of their resentment in order to overpower the Bishop of Basle, who, being uncle to the Count of Tockenburg, repined at the demolition of the castle of Uzenberg: but being engaged in various other contests, he saw the necessity of using every means to reduce the number of his adversaries. He set off on horeback with only two attendants; and, travelling through private roads and lanes, arrived at Wyl, where the abbot was feasting with hundreds of his noble retainers, and quaffing the choicest wines from the Rhine, the Necker, and the Valteline. The porter entered the hall, and announced the Count of Hapsburg. The abbot smiled, conceiving this to be the frolic of some neighbour, who came to partake of the feast; but great was the astonishment of the whole assembly, when they saw Rudolph enter with scarce

any attendants. He accosted the prelate with an unembarrassed air; 'Abbot,' said he, 'I hold fiefs from your saints. 'You know the reasons which have as yet prevented me from 'performing homage, and receiving the investiture. Enough 'of this at present: I submit to the award of arbitrators. I 'am come to tell you that there shall be no war between the 'Abbot of St. Gallen and the Count of Hapsburg.' He sat down among the knights; and during the meal, related the fatal issue of the affray at Basle, adding every aggravating circumstance that was calculated to irritate the nobles against the burghers. He declared, that 'though engaged in various 'contests, he thought the example so dangerous, and the 'affront so disgraceful to his order, that he should wave every 'other consideration, and proceed without delay to avenge 'the outrage upon the audacious burghers, and their base 'prelate.' The nobles, fired with indignation, exclaimed that the cause concerned them all; and instantly, together with the abbot and his vassals, accompanied Rudolph in his expedition against Basle. Here followed a great conflict, which brought out the Schwitzers from the Alps, the people of Zuric and St. Gallen, and all the retainers of Hapsburg and Kyburg as far as the Brisgau and Alsace, against the city and Bishop of Basle. The city soon yielded: but the bishop held out longer, and was much harrassed by the count, who seized on Brisach; and, with still greater animosity, by the abbot, from whom he had taken some wine.[27] At length he purchased an accommodation, and was forced to submit to the

[27] At a meeting at Bruck, the bishop exclaimed, 'how has our holy Virgin deserved 'the evil you have done to her see?' The abbot answered, 'what right had you to 'drink the wine of our blessed Lady of St. Gallen?'

CHAP. V.

damages which his estates had suffered during this severe contest.

Rudolph, in all his wars, treated the prelates, who were less tenacious of their spiritual dignity than of their temporal concerns, not as preachers of the gospel of peace, but in a manner conformable to the law of arms: on the other hand, he is reported to have shewn great deference to the clergy, and a zealous devotion to the sacred rites. One day while hunting, he met, near an overflowing brook, a parish priest, who was bearing the host to a dying patient: he compelled him to mount his horse; and expressed with fervour his lowly veneration for the supreme Being, to whom he owed all his many blessings, and the great prosperity he enjoyed. His piety was highly extolled at Zuric when, at a solemn festival, he exhibited to the assembled multitude many relics of the crucifixion. The new Augustin hermits whom he established in this city, and many other religious orders on whom he conferred ample donatives, spread the fame of his godliness throughout the land.

Basle did not long enjoy the tranquillity it had obtained by the late pacification. Factions arose among the citizens:[28] and the bishop being tardy in discharging the contributions he had promised Count Rudolph, the latter assembled his forces, and returned to the siege of this distracted city. The resistance he met with was more obstinate than he had ever yet experienced; and his soldiers, weary of incessant repulses and reciprocal attacks, were relaxing in their ardour, when Henry

[28] The parties of the Star and Parrot, the former noble, and the other plebeian, had long been at variance: the star, against which the bishop also exerted his influence, was at this time driven out of the city.

CHAP. V.

of Pappenheim, hereditary marshal of the empire, and soon after him Frederick of Hohenzollern, Burgrave of Nuremberg, came from Franckfort on the Meyn, and brought the tidings, 'that Lewis Count Palatine of the Rhine and Duke of Bavaria, 'had, at an assembly, and in the name of the electors, pro-'claimed Rudolph Count of Hapsburg, in consideration of his 'great wisdom and eminent virtues, King of the Roman Em-'pire in Germany.' This intelligence surprized Rudolph more than it did those who attended him. While all his friends and retainers in the Argau were, with inexpressible joy, hastening to Bruck, to congratulate his consort on this unexpected exaltation; and the distinguished persons of all his towns and provinces, who had honoured him in his more humble station, came to visit him, in his unlooked for splendour, the citizens of Basle requested that he and his troops would enter their city. The new king granted them a full amnesty, released all the prisoners, and proclaimed a general pacification. He then repaired to Brisach, where he met his queen, and the principal nobility of the empire; and, with them, proceeded to Aix la Chapelle, where he received, from the hands of the Archbishop of Cologne, the crown once worn by Charlemagn

4. Rudolph on the Imperial Throne. 1273.

The most important of the subsequent actions of Rudolph must be sought for in the annals of the empire; the province of this history being merely to relate what he achieved within the confines of Helvetia, in favour of the people, for his own interest, and for the advantage of his progeny. He sat eighteen years on a throne, which, during three and twenty years preceding, none had been able to maintain. He restored public tranquillity; governed with paternal lenity: but at the head

Character of Rudolph.

CHAP. V.

of his forces still manifested his wonted spirit and intrepidity. In his private life he preserved all the simplicity of his native manners: he was accessible to all; and said to his surrounding guards who prevented a poor man's approach, 'because I 'am a king, am I to be secluded?' He gave strict charge to he toll-gatherers to take no more than their dues, and to bstain from violence: 'know ye,' he declared to all his fficers, 'that I am bent on re-establishing peace and equity, the most precious gifts of heaven.'

His conduct towards

*a.* the cities, and country towns.

He protected the city of Zuric, which depended immediately on the empire, with so much solicitude, that, to prevent any progressive abuse of power, he regularly exchanged the imperial commissary every other year. He conferred on the citizens the important privilege, without which, neither their wise institutions nor the purity of their manners, would have availed them 'not to be amenable to any foreign tribunal, nor 'to be ever tried but according to their own laws:' they in return gave a striking proof of their firm adherence to Rudolph, on a day when one hundred of them, headed by himself, displayed a memorable instance of undaunted valour, in a decisive battle against Ottocarus King of Bohemia. He never failed to rise from his throne at the approach of Jacob Muller, a burgher of Zuric, who in an engagement had, at the peril of his own life, saved that of the monarch: he never applied in vain to the citizens for a loan or subsidy; and found them ever ready to promote his interest and glory.

He not only pardoned the citizens of Berne for having, during the anarchy of the interregnum, seized on and demolished the imperial castle[29] within their city, and withheld

[29] Niedeck.

some of the revenues of the empire; but also ratified all the privileges that had been conferred on them by their founders and subsequent benefactors. To the city of Lucern, which, through the advocacy of the Abbey of Murbach, came under the protection of his family, he granted the same immunities which preceding Emperors had conceded to Berne; and declared its magistrates and burghers immediate feudatories of the empire. He favoured Basle, both the city and bishoprick: and the citizens of Shaffhausen and Soleure were, like those of Zuric, exempted from all foreign jurisdiction.

The Swiss, who desired nothing but their primitive independence, he cherished with kindness and affection, thankfully acknowledging their invariable friendship, and the important services they had often rendered him. He told them, 'that 'he should ever consider them as his meritorious and darling 'children; and as such would maintain them in the imme- 'diate protection of the empire, and reserve them for the most 'important of its services.' This friendly disposition, which they furthered by the vigorous aid they afforded him against Ottocarus, remained undiminshed to his latest hour. To the inhabitants of Winterthur he granted, in consideration of the blood they had shed in his wars against the King of Bohemia, a charter, by which he engaged never to send them a foreign avoyer; to refer all causes that concerned them to their own courts; and that their contributions should never exceed the sum of one hundred florins. Should it appear that the burghers had, in fact, purchased all these privileges; still it must redound to the honour of Rudolph, that he made ample returns, for what others had extorted by mere violence and injustice.

CHAP. V.

b. The Nobles.

The nobles, whom an aspiring prince is ever willing to degrade, but whom Rudolph knew how to restrain from acts of wanton oppression, he on all occasions firmly maintained in their just prerogatives, and befriended them as his companions in arms, and counsellors in his administration. The houses of Erlach and Bonstetten still celebrate the munificence of this their early patron; and of the many that are extinct, the charters still bear witness that this order, far from exciting the jealousy of the monarch, was on all occasions the object of his peculiar countenance and protection.

c. The Clergy.

Although, in the many contests he had with the prelates, he never suffered either hypocrisy or superstition to warp him in the conduct his reason dictated; and though he actually resumed several estates, advocacies and franchises, which the priests had craftily obtained from his ancestors or the empire; the church, however, partook at all times of the support and munificence he ever displayed towards his other subjects. Several convents, when necessitous, were relieved by his exchequer. Aware how important the honour of the sacerdotal order is in a well regulated state, he insisted on the respect and deference due to every rank in the hierarchy: but on the other hand, he steadfastly resisted all claims of exemptions from the public charges, which religious establishments were ever solicitous to arrogate; and from which, as they increase the burthens of the laity, the clergy, if they knew their true interest, would at all times cautiously abstain. The Bishop of Lausanne, and the Abbot of Einsidlen, were by him raised to the rank of princes of the empire: the bishop was invested at a congress held in his metropolitan seat, between Rudolph and Pope Gregory the Tenth; the latter of whom on this occasion

CHAP. V.

consecrated the cathedral. Such was the splendour and sumptuousness of this solemnity, that Rudolph expended no less than nine hundred marks of silver, a sum exceeding, in those days, the annual income of the wealthiest baron, merely on his apparel; and the Abbot of St. Gallen, who attended at the ceremony, found himself compelled to sell his seigneury of Gruningen to the house of Hapsburg, in order to satisfy the demand of his landlord. In nothing did Rudolph display his wisdom more, than in the impartiality with which he provided for the welfare, and asserted the privileges, of every rank and description of his multifarious subjects

Proposes to revive the kingdom of Burgundy.

Rudolph now formed the project, as soon as he should have restored order and subordination in the empire, and added to the hereditary domains of his house the territories that would enable him to execute his plan, to revive the ancient kingdom of Burgundy, in favour of Hartman, his second and darling son. The acquisitions he had in view for this purpose involved him in a war with Savoy, the issue of which proved successful, though not towards the end for which it had been undertaken.

Wars with Savoy.

Peter Count of Savoy, whose genius and dexterity had secured to his house as great an ascendency in the Roman, as Rudolph had obtained for his family in the Germanic parts of Helvetia, having ended his days at Chillon, in the sixty-sixth year of his age, leaving only one daughter, who inherited his allodials; his brother Philip succeeded to the county; and the burghers of Berne, awed by the calamities of the times, agreed to surrender to him all the tolls, the mint, and the prequisites of appeals in their city, until such time as the empire should have a legitimate and permanent chief. No sooner had

1268.

CHAP. V.

Rudolph established his authority in the empire, than he came to the Aar and the lake of Geneva, probably not so much for the sake of the interview with Pope Gregory, as to retrieve the rights of his crown in those parts. The Berners, according to the tenor of their engagement, forsook Philip, and placed themselves under the supremacy of the empire. The two rival princes upon this were preparing for war, when a
1275. temporary accommodation was with difficulty effected by the mediation of the Pope, and the King of England.[30] Rudolph however having subdued Ottocarus, and his son Hartman being arrived at the age of maturity, various pretences soon blew up the flames which had been thus imperfectly suppressed. Rudolph found plausible motives for a war, not only against Philip, but also against his two sons-in-law, the Counts of Upper Burgundy. He took Montbelliard, and pursued the counts to the walls of Besançon; but finding himself unable to reduce that place, he gladly accepted a conditional sub-
1281. mission, and hastened to the assistance of the Friburgers in Uchtland, who complained of the heavy exactions of Count Philip of Savoy. In the partition of the estates of Kyburg, after the death of Count Hartman, the title to the advocacy of the city of Friburg remained some time in abeyance between the houses of Hapsburgh and Savoy; and though at length possessed by the latter, yet Rudolph thought himself authorized both by right of inheritance, and as head of the empire, to espouse the cause of the burghers. No one distinguished himself more in this partial warfare than his beloved Hartman; whose loss (what are the hopes of man!) he had

[30] Edward the First.

to deplore, soon after he had made an advantageous peace with Philip. Hartman, full of youthful ardour and filial duty, embarked, with many noble attendants, on the Rhine, to meet his royal father: being arrived near Brisach, where the navigation of the river is impeded by shoals and islets, the boat overset, and the hopeful prince, together with his whole retinue, met with an untimely end.

A second war soon after broke out between the same parties, occasioned by the insults offered by the friends of Philip to the bishop and noble citizens of Lausanne, whom they drove out of the town, and whose dwellings they demolished. Rudolph determined to put an end to the perpetual and fatal collision of authorities that had so long distracted this province: he advanced with considerable forces, took Morat, passed by the ancient Aventicum, and had reached the gates of Payerne, when Pope Martin the Fourth, Margaret the widow of St. Lewis, and Edward the First of England, mediated a second accommodation, by virtue of which, Payerne, 1283.
Morat and Gumminen,[21] were ceded to Rudolph, and his right to appoint a commissary at Lausanne was acknowledged.[22] Thus did the steady intrepidity of Rudolph recover all the castles and domains, which the Counts of Savoy had gradually wrested from the empire; and compelled them, at least to suspend, if not wholly to relinquish, their selfish views upon Lausanne and Friburg. They retained, however, all that, before the time of Count Peter, had not been deemed imperial dependences; the important castle of Chillon and its territory; the five Chattelanies which Peter had

[21] Condamine.

[22] Richard de Corbiere appears as Imperial Commissary at Lausanne in the year 1285.

CHAP. V.

acquired; and the homage of the Lords of Gruyeres, Oron and Blonay, whose lands lay opportunely for the command of the mountains, the Chablais and the Valais.

1290. Amadeus the Fifth, nephew and successor of Philip, was also, in a dispute that arose between Aymo Count of Geneva, and the clergy and inhabitants of that city, invested by the latter with the office of episcopal surrogate, the prerogatives of which he extended to a degree far beyond what those who had nominated him intended to authorize. Under the specious pretence of protecting the extensive trade of the city, he obtained the superintendence of the markets, of the Lombard bankers, and all the strangers from Italy, France and Germany, who were drawn hither by the convenience of the situation. The insolence of his officers soon convinced the citizens of their imprudence in calling in a superior force to restrain one more feeble. After much civil discord, and some bloodshed, an agreement was at length obtained, by which Amadeus reserved the homage of the Count of Geneva, and even prevailed on Beatrice, daughter of Count Peter, mother to the dauphin of Vienne, and sovereign of Gex and Faucigny, who had interfered in the contest, to acknowledge the paramount authority of Amadeus over all her hereditary domains

With Berne. Rudolph, after the death of Philip, recollecting how reluctantly the Berners had aided him in his wars against Savoy, resolved to let them feel the effects of his resentment. A boy was found assassinated in Berne; and because every deed of horror was in those times imputed to the Jews, some of them,

[33] Lesclées, Iverdun, Moudon, Romont and Rue.

CHAP. V.

after having been tortured into confession, were broken on the wheel; and the remainder of the unhappy Israelites were banished from the city. They being fiscal dependants on the empire,[34] laid their complaints before Rudolph, who sent a mandate to the magistrates respecting the sentence; and who, being apprized that the Berners shewed no disposition to obey his orders, and that the Count Palatine of Upper Burgundy was meditating a revolt, determined upon a campaign, and pitched his tents, with fifteen thousand men, on a plain near Berne. 1288. This attempt on the city proved unsuccessful; the rapid Aar strong walls, and a vigilant and intrepid garrison, presenting obstacles which no general of those days knew how to surmount. A stratagem was however devised, which was deemed infallible. Great rafts of timber, intermixed with tar and brimstone, were set on fire and floated down the Aar, with a view to communicate the flames to the bridge, and thence to spread the conflagration throughout the town: but this formidable project proved likewise abortive by the timely precaution of the burghers, who had driven stakes into the bed of the river above the bridge, which detained the destructive engines, and averted the ruin of the city. Rudolph was now deterred from prosecuting the siege, both by the stubborn resistance he met with, and the danger of consuming much time in an uncertain enterprize, which, not having the resources of permanent taxes and standing armies, he knew would be attended with fatal consequences. The Berners now, in their turn, marched out to take vengeance on the Lords of the Oberland, for the hostile disposition they had on this occasion

[34] *Fiscalini, Camerlingi,* were a kind of vassals dependant on the exchequer; a condition, of which we have no example at present.

CHAP. V.

shewn towards their city. In vain did Count Peter of Gruyeres, and the Barons of Weissenburg and Gestellen, attempt to defend their strong barrier: their troops fled before the invaders; and Anthony of Blankenburg, their leader, seeing the prosperous fortunes of the arms of Berne, came to reside in the city, and was received a burgher.

1289. In the next month of April, Brugger, one of the bannerets of Berne, perceived, while sitting near the lower bridge, a troop of armed men advancing from behind a neighbouring hill:[35] uncertain of their numbers, which the eminence concealed, but regardless of danger in the cause of his country, he snatched the banner, assembled all the burghers of his ward whom he could collect, and sallied forth to meet the suspicious force. This force was an army led on from the Argau by Rudolph, son to the old king. Brugger, to whom the death of a few brave men appeared less detrimental than the panic their flight would occasion, stood his ground with undaunted firmness; and while the whole city was arming, he and his companions fell in the bed of honour. The whole body of burghers having now marched out, Walo of Gruyeres perceived the banner in the hands of the enemy; he threw himself among them with irresistible fury, recovered it, and brought it back, torn and stained with the blood of his fellow citizens: his posterity in memory of this action, have ever since been distinguished at Berne by the name of the patriots; and the bear in the banner was henceforth placed in a red field, with a white bend, to commemorate that it had, on this occasion, been rescued by the blood of the citizens. The event of this

[35] The Shosshalde

CHAP. V.

enterprize was so decisive, that the royalists relinquished all further attempts, and only stipulated that the Berners should found an annual mass at Wettingen, for the repose of the soul of Lewis of Homberg, whom they had slain in this encounter. The Jews were restored long after the king's death, on paying one thousand marks to the burghers, and five hundred to the avoyer, as an indemnification for the losses the city had sustained on their account. Its rulers in those times were wise and unanimous, and Berne was invincible; in our days they have proved selfish and divided, and the state has perished.

With the Count of Burgundy.

Rudolph was more successful in another quarter. In one of the intervals of the war with Berne, he marched over the Jura against Otho, the Palatine of Burgundy,[36] who he knew intended to withdraw his allegiance, and the sovereignty of his

[36] The various coeval titles of *kings*, *dukes* and *counts* of Burgundy, cause some perplexity in the history of the middle ages. Of the KINGS descended from Gundioch and Boso, some account may be gathered from our second Chapter. The line of DUKES was of the Capetian race; the father of Hugh Capet appearing in the tenth century with the title of Duke of Burgundy. Otho, his second son, continued this branch, which descended through twenty generations to Charles the Bold, who perished at Nancy, and left his extensive dominions to his only daughter Mary, by whose marriage with the Emperor Maximilian the First, they devolved to the house of Austria. The COUNTS traced their origin up to the Kings of Lombardy, one of whom, Adalbert, married the grand-daughter of a Duke of Burgundy. Her son, Otho William, was, towards the end of the tenth century, created Count of Upper Burgundy, since called the Franche Comté. Beatrice his fifth descendant, and heiress of the county, married the Emperor Frederick Barbarossa: and their third son Otho was constituted her successor, and assumed the title of *Count Palatine*. His daughter Alice, was mother to Otho or Othelin, who succeeded in the county, and opposed King Rudolph in that province. Margaret the grand daughter of this Otho, was grandmother of another Margaret, who, in 1384, conveyed this rich inheritance by marriage to Philip the Bold, Duke of Burgundy, by which means the dutchy and county became thenceforth united.

CHAP. V.

chief city Besançon, from the empire, and to transfer it to the King of France. Otho's camp, strong in auxiliaries from Picardy and Flanders, was covered by the river Doux; and King Philip le Bel tried to intimidate the Germans by the renown of the Gallic arms: but Rudolph answered his threats in terms such as he was wont to use when he declared that, 'with forty thousand foot and four thousand horse of German 'troops, he feared no power upon earth.' Famine (the effect of devastation) having invaded Otho's camp, and Rudolph having crossed the river, the Burgundian lords exclaimed, 'why do we fight for the French monarch, who sends us no 'assistance?' The Palatine hereupon yielded to the valour of the German king, and to the persuasions of Robert Duke of Burgundy, brother to Rudolph's second queen, and agreed to pay homage to the empire for the county Palatine of Upper Burgundy. The king about the same time obtained also the feudal sovereignty over Neuchattel, which Count Rudolph voluntarily surrendered; and the tenure of which was soon after transferred to John of Chalons, from whom the present house of Orange is descended.

5. Rudolph in his old age.

A succession of weak and improvident prelates since Berthold of Falkenstein, had greatly reduced the wealth and splendour of the abbey of St. Galen, when William de Montfort, of a Rhætian family, whose noble descent vanished in

1281.

the ages of obscure antiquity, succeeded to the vacant chair, and received the investiture in the days when Rudolph and his progeny, dazzled by the lustre of their fortune, aspired to still greater exaltation. William unhappily incurred the king's implacable enmity. Restrained by the narrow circumstances of his abbey, which forbad his making the appearance at court,

that became his birth and station, he withdrew abruptly, and omitted to assign a plausible motive; and this was ascribed to envy at the splendor of the royal house. The abbot also, being bent on retrieving the affairs of the abbey by strict economy, incurred the resentment of several canons; and moreover, yielding to the suggestions of evil counsellors, he exerted a severity towards the people, which soon excited murmurs and weakened their attachment. These murmurs, and the remonstrances of the canons, reached the ears of Rudolph, who gladly embraced the opportunity to gratify his private pique. His virtues did not stand the test of prosperity; and he lost sight of the candour and forbearance which had on a former occasion availed him with the Abbot Berthold. Under the specious pretence, which he now often held out, that the public tranquillity was in danger, he entered with force upon the lands of the monastery, and prohibited, under severe penalties, any aid or countenance being given to the abbot. William was soon abandoned by all who preferred the favour of the mighty monarch, to a due sense of genuine magnanimity. He sued for peace, but the terms offered by Rudolph were too exorbitant: he then fled to various castles; and, as providence never leaves virtue wholly destitute, received relief from several menial servants and peasants, till at length he arrived at Bregenz. Here he was joined by several of his subjects of St. Gallen, who, with joyful countenances, apprized him that his persecutor Rudolph was no more, and that the chapter and city were impatient for the day when they might once more behold their prince and abbot. He instantly returned, and met with the cordial reception the purity of his intentions had at all times merited. Specious

CHAP. V.

language and artful insinuations may, for a while, mislead a people: but the fascination is seldom of long continuance; and awful is their resentment when they discover that insult has been added to injury.

His death. 1291.

In the eighteenth year after 'the grace of God,' as he described his exaltation, 'had raised him from the huts of his ancestors 'to an imperial throne,' in the seventy-fourth year of his age, was Rudolph first attacked with symptoms of a dangerous malady. He was hastening to Spire to repose, as he intimated, amidst the tombs of many preceding kings and emperors, when his fate met him at Gemersheim on the Rhine, a town of his own foundation. His hereditary dominions had been enlarged by the acquisition of Kyburg, Lenzburg, Baden, Zoffingen, and several advocacies: but his greatest accessions he owed to his victories over Ottocarus King of Bohemia, Margrave of Moravia, and Duke of Austria, Stiria, Carinthia and Carniolia, who had opposed his election to the empire. Five years after he had reduced that power,[37] the king, adorned with all the pomp of royalty, and surrounded by all the princes, whose concurrence was indispensable in all new regulations in the empire, seated himself on his throne in the palace at Augsburg, and declared, 'that in order to enable his 'sons Albert and Rudolph, to display the full extent of their 'inviolable loyalty and zeal for the glory of the empire, he 'had resolved to raise them to an eminent rank in the college 'of princes.' Hereupon, in the plenitude of his power, and with the consent of the electors, he invested them, by the delivery of banners, with the Dukedoms of Austria, Stiria, the

[37] December 22, 1282.

Windismark and Carniolia: he soon after granted them also the Margraviate of Burgau. To such eminence rose a single count, of a race whose very name had scarce reached the contiguous countries. By the enlargement of his bounds to the furthermost confines of Alsace and Austria, he in a manner hemmed in all Upper Germany, and kept in awe the French king, and many of the Slavian princes. His house, by his address and wisdom, rose to a power which gradually subdued nations and countries, the very existence of which was then unknown. No race has so often endangered the freedom of Europe: and its splendid career has never met with any check, but what it derived from its own neglect of that moderation, which had ever been the great art of Rudolph.

## CHAP. VI.

### *Albert of Austria.*

CHAP. VI.

His character.

ALBERT of Hapsburg, Duke of Austria, the only surviving son of King Rudolph,[1] had, during a nine years administration of his own territories, and the share he had long borne in all the transactions of his father's reign, given such early proofs of his supercilious temper and ambitious views, as filled all the neighbouring states with reluctance against the further aggrandizement of the house of Hapsburg. The character of no prince, perhaps, who has moved in so eminent a sphere as Albert, has ever been so variously represented, by the jealousy and hatred of some whom he had offended on the one hand, and on the other, by the fear and adulation of those who had adhered to his family and person.

He possessed an inflexible perseverance. The improvement of his treasures and armies, the latter of which he commanded with admirable skill and courage, seems more strongly to have actuated his conduct, than the more generous principles of sound policy and justice. Eager to extend his dominions, he scorned the trammels of the laws which controled his power.

[1] Hartman the king's second son perished, as we have seen, in 1282. Rudolph, the third, died in 1290, and left the ill-fated John, of whom more hereafter. Charles, the fourth son, died an infant. Of his six daughters, five were married to German princes, and the sixth to the King of Hungary.

CHAP. VI.

He was impressed with a laudable spirit of order and propriety, which manifested itself in his high commendations of modesty in women, learning in the clergy, and valour in the soldier. Such was the controul he had over his passions, that when most violently agitated, he could still command his utterance; nor did he ever allow himself to be diverted by the allurements of pleasure: and yet, neither was he beloved in life, nor after death was his memory revered either by his kindred, his father's friends, his subjects, or the German nation. His wealth surpassed that of all other princes; and his forces, consisting of Hungarian light horse, heavy-armed cuirassiers, a select body of knights in rich uniforms, and an infantry of young freemen, were both numerous and highly trained. For sieges, he had a hundred waggons loaded with rams, cats, pitch-balls, and all manner of destructive implements. So stern was his severity, that, in an insurrection, he compelled the magistrates of Vienna to come to him bare-headed and bare-footed to a neighbouring mountain, and surrender the keys of their city; and there, in their presence, he tore every document of their obstructive privileges. His insatiate thirst after wealth and territory, his stubborn pertinacity, an unseemly disorder in his eyes, and a gloomy aspect, all these forbidding features rendered him so odious, that even virtue in him wore the semblance of selfishness. The man whom all hate, can never govern all. Albert was about forty-two years of age when he succeeded to the hereditary dominions of his father.

First compact of the Swiss.

The Swiss, as soon as they received the intelligence of Rudolph's death, and of the fearful prospect then before them, held an assembly of the whole nation, and renewed their

CHAP. VI.

ancient league in the following terms. 'Know all men that 'we, the people of the valley of Uri, of the community of 'Schwitz, and of the mountains of Underwalden, seeing the 'dangers of the times, have solemnly agreed, and bound our-'selves by oath, to aid and defend each other with all our 'might and main, with our lives and property, both within 'and beyond our boundaries, each at his own expence, and 'against every enemy whatever who shall attempt to molest 'us, either singly or collectively. This is our ancient compact. 'Whoever hath a lord, let him obey him according to his 'bounden duty. We have decreed to receive no magistrates in 'our valleys, but such as are of our own country, and resident 'among us. Every difference among us shall be decided by 'our wisest men; and whoever shall reject their award, shall 'be compelled by the remainder of the community. Who-'ever shall wilfully commit a murder, shall suffer death; and 'he who shall attempt to skreen the assassin from the hands 'of justice, shall be banished. An incendiary shall forfeit his 'franchise as a native; and whoever harbours him shall re-'pair the damage. Whoever robs, or molests another, shall 'make full restitution out of the property he may possess 'among us. No one shall distrain without the sanction of a 'magistrate. Every man shall acknowledge the authority of 'one of the chief magistrates in either of the valleys. If 'in an intestine feud, one of the parties shall refuse to accede 'to a fair compromise, the people at large shall join the 'opposite party. This covenant, for our common welfare, 'shall, God willing, be perpetual.'[a]

[a] This is the oldest document of the Swiss Confederacy; it is dated in the beginning of August, 1291.

CHAP. VI.

An alliance against Albert.

Rudolph of Lauffenburg,[3] Bishop of Constance, uncle and guardian to Hartman of Kyburg, learnt that Albert meant to dispute the right of his ward to the independence of his hereditary domains; and was hence induced to enter into a defensive alliance with Count Amadeus the Fifth, of Savoy, against the sinister designs of his rapacious cousin. It was therein stipulated, that both Kyburg and Lauffenburg should assist Amadeus in the recovery of the towns of Laupen and Gumminen, and all that King Rudolph had wrested from the house of Savoy; and that the contracting parties should unite in the protection of Berne and its citizens, against all unlawful claims: for Amadeus, on receiving the long wished for tidings of the death of King Rudolph, had not only prevailed on the chapter of Payerne to reinstate him in the advocacy of their abbey, which had formerly been held by his uncles; but also obtained from the Berners, for a pecuniary consideration, the like office in their city, until such time as a new king should be elected. This Bishop of Constance, whose irreconcilable enmity Duke Albert had incurred, had great influence in Thurgau, not only through the ascendency of religion, but also by the extensive domains his see possessed in that province. The Abbot of St. Gallen readily entered into the alliance, as also the city of Zuric, which was now wholly estranged from the house of Hapsburg. This city moreover agreed to a triennial league with Rapperswyl against the duke: and the affections of the burghers of Basle, in whose city the mother

[3] Rudolph of Hapsburg, uncle to king Rudolph, was the founder of the line of Lauffenburg: the bishop here mentioned was his second son: the third son Everard, married the heiress of Kyburg, and revived that title in his line. The above named Hartman was son to this Everard.

CHAP. VI.

and brethren of Albert lay interred, were likewise wholly alienated from him. Such were now the general and rooted prejudices entertained against him, that Adolphus Count of Nassau, a prince of no decided superiority, and not Albert, the powerful son of the late formidable monarch, was chosen to fill the vacant throne of Germany.

1292.

Hostilities.

During the struggle for the Imperial crown, the burghers of Zuric, headed by Frederick Count of Tockenburg their captain, attacked and defeated the burghers of Wintherthur, commanded by their avoyer Hopler.* Elated with their first success, they advanced towards the town, which, with the help of a reinforcement they expected from the Bishop of Constance, they were confident of reducing: but Hugo Count of Werdenberg, the duke's commander in these parts, resolved to try the fortune of a day, before the arrival of the auxiliaries. It chanced that a messenger dispatched by the men of Zuric to the bishop, fell into the hands of Hugo, who thereupon instantly sent a trusty person with a supposititious answer, as coming from the bishop, to this effect: 'We rejoice at the 'news of your victory, and will be with you to-morrow at 'noon. This letter will be delivered to you by one who is 'better acquainted with the bye-roads than your messenger: 'acquaint us, through him, which way we shall advance to 'meet you.' Hugo affixed to this scroll a seal from a letter he had himself formerly received from the bishop. In the course of the night he caused an episcopal banner to be prepared. Another messenger was also dispatched with instructions to the avoyer Hopler, and the garrison was meanwhile

* This expedition appears to have been undertaken in behalf of the Bishop of Constance.

reinforced by a detachment from Shaffhausen. On the morrow, while the unguarded troops of Zuric were viewing with joy the approach of the episcopal banner, they found themselves on a sudden furiously assailed by Count Werdenberg and Hopler, and sustained a signal overthrow, to the indelible disgrace of their banner, and disparagement of their military fame. Few were suffered to escape; and by this well conducted stratagem Zuric was ultimately compelled to accept of a separate peace with Albert.

The duke, indignant at the unsuccessful issue of the election to the empire, came now with hostile arms into the bishoprick of Constance. He burnt and demolished several castles, and besieged William Abbot of St. Gallen, in his town of Wyl. The burghers of Zuric, whom an act of clemency had brought back to his interest, joined his forces, and assisted in compelling William to relinquish his town, which was soon after burnt; while all its inhabitants, two only excepted, who remained on the ashes of their desolated dwellings, were transplanted to Schwarzenbach, a neighbouring town built by the Counts of Hapsburg. The abbot fled to St. Gallen: the new king Adolphus proclaimed a general amnesty; and Albert returned to his Austrian dominions.

The cities, during the short interval of the reign of Adolphus, obtained not only the confirmation of their former privileges, but also various additional and more extensive franchises. Zuric and Berne were fully invested with the higher or criminal jurisdiction, and exempted from all appeals to foreign courts, except the Aulic tribunal of the Empire. The town of Mulhausen received the same exemptions from tolls which were enjoyed by the imperial cities, and the right of

CHAP. VI.

admitting none but natives to the office of chief magistrate. Berne and Friburg were confirmed in their compact, which stipulated that six of the most respectable senators of each city, should determine any difference that might arise between them. Soleure likewise entered into an alliance with Berne for mutual defence. Lewis of Savoy acceded, for ten years, to the treaty his brother Amadeus had concluded with Berne for the term of his life. The barons in the mountains of the Oberland, who, but too often, in the pride of their inaccessible security, disturbed the public peace, were now restrained, chiefly by an engagement which the Bishop of Sion, Count Josselin of Visp, and the community of Leuk, entered into with Berne, to check their depredations. Berne was now in a manner the arbiter of the fate of all Helvetia, the parent of a multitude of dispersed burghers, whose confidence the rulers considered as the main prop of their own authority, and the source of the public felicity of their thriving state. Sixteen selected burghers[5] were about this time added to the council,[6] to whom were referred all misdemeanors, complicated law cases, public wrongs and contracts, both within the city and among its out-burghers.

The king who now, less through his own inertness, than the machinations of Albert, saw his fortunes rapidly declining, was not however forsaken by the burghers, husbandmen and shepherds of Helvetia. The Swiss, on receiving a charter of

[5] Seizeniers. [6] The great council of Berne, at this period, appears to have consisted of two hundred members. The first mention of it is about coeval with that of the English House of Commons. A counsellor, who attended the meetings, received at every sitting one plappart (about five English pence) from the serjeant at arms: if absent, he paid the same, as a fine.

CHAP. VI.

immunities from him, swore allegiance to his government: and the Abbot William of St. Gallen, after having repeatedly, but in vain, sued for reconciliation at the hands of Albert, repaired to, and resided some years at the court of Adolphus, who, although restrained by the decay of his condition, which had never been adequate to his dignity, gave, notwithstanding, ample testimonies of his grateful partiality for the prelate; and in his latter days assigned to the abbey various imperial revenues in its vicinity. Twenty helmets[7] from St. Gallen fought by his side in his last decisive battle; in which even the abbot (long inured to adversity, but ever worthy of the venerable name of Montfort) mingled with undaunted courage; until the king yielding to extreme despair, rushed into the thickest of the enemy, and fell near, if not by the hands of Albert. 1297.

This fatal event struck terror into all the people of the Alp who had sided with Adolphus. The abbot, with great difficulty, obtained leave to withdraw to St. Gallen, where he survived some years in humble penury. A rumour was spread that Albert's party, in the senate of Friburg, were preparing to arm their city, and even to instigate the Count of Savoy and his great vassals against Berne. The deputies from the Swiss repaired to the new-elected king,[8] at Strasburg; but they struck terror into their countrymen when they brought back the answer, 'that Albert meant soon to propose an 'alteration in their governmen 98.

[7] A helmet even now, in the armorial bearings, denotes a gentleman. Crowned helmets were appropriate to nobles.

[8] Albert had been elected King of the Germans on the 23d of June, 1298.

CHAP. VI.

Expedition against Berne.

Many lords upon this drew out their forces against Berne, and the burghers collected auxiliaries from their allies of Soleure and Kyburg; but their numbers were far inferior to those of their adversaries: still, however, they made no offer of accommodation, being well aware that a free people exposes itself to inevitable ruin, if, in a just cause, it yields to the invasion of despotic power. News having been brought that the enemy had passed the boundaries, the burghers marched out under the conduct of Ulrich d'Erlach, a brave and experienced knight. They found the enemy advantageously posted on a hill,[9] and spreading in formidable numbers over a plain[10] near Wangen. They called to mind the day of the Shosshalde, advanced in close array, and being within distance, Erlach sounded a charge: the bugle horn suddenly re-echoed throughout the forest, and the men of Berne rushed with united and irresistible fury upon the foe. The enemy's cavalry was soon thrown into confusion by the unexpected shock; and their horses, frightened by the vehement shouts of the assailants, became intractable. Many stood aghast, whilst others fled, and a great number who attempted scarcely any resistance, fell in the field of battle: the whole body of infantry was surrounded and taken. The conquering bands, headed by Erlach, entered Berne in triumph, and displayed to their exulting parents and emulating children, the trophies of their victory, the banner of the foe, and numerous ranks of disarmed captives. The banner was deposited in the minster of St. Vincent; and solemn thanksgivings were offered up to

[9] The Donnerbühel

[10] The Jammerthal.

CHAP. VI.

the God of Hosts, who had protected the cause of justice and patriotic virtue.

Albert before Zuric.

The king, after a diet he had held at Nuremberg, came to his hereditary dominions on the Rhine, and having received complaints from his subjects of Kyburg against the burghers of Zuric, encamped on a hill near the city, and suffered his men to seize on all the cattle that pastured near the walls. The subordination of ranks was not as yet so accurately defined, but that many nobles were at the same time warriors,[11] merchants, husbandmen and shepherds. It is recorded, that the king's son having one day admired the venerable aspect of an old man who was dextrously driving the plough, the excellence of his horses, and the comeliness of a sprightly youth who attended him, was not a little surprized on the following day to see the same old man, as Baron of Hegnau, riding into his father's court with his apparent heir, the companion of his rustic toils, by his side, and a large retinue of vassals and domestics. The burghers of Zuric, confiding in their vigilance, did not even shut their gates: they declared to the king, 'that they were willing to yield the obedience 'they owed him, conformably with their allegiance to the 'empire, and the liberties handed down to them by their 'forefathers; and that as to the charges of the Kyburghers, 'they had full as many to allege against them, but that they 'would willingly refer the whole to the decision of arbitra-'tors.' The king saw from the eminence on which he had

[11] The nobles of Rordorf were at the same time knights and silk merchants: the Manesses carried on an extensive trade, and were eminent in arms. England has not as yet adopted the nice demarcation of ranks, to which the continent owes, perhaps, a great part of its recent calamities.

CHAP. VI.

pitched his tents, a formidable assemblage of armed men in the streets of Zuric, the markets plentifully stocked with provisions, and the whole city amply prepared for a vigorous defence; whilst his own army was weak in numbers, and destitute of all necessary implements and stores. Thus circumstanced, he received the deputies of Zuric with condescension, confirmed their privileges, and then entered the city amidst the joyful acclamations of the burghers.

Advocacy of St. Gallen.

Henry Bishop of Constance, of the house of Klingenberg, who had, in the weightiest concerns of the state, given both to Rudolph and Albert, repeated proofs of his zeal and conduct, solicited now the reinstatement of the Abbot William into the royal favour. William had scarcely been apprized that Albert had, in fact, relented, and that he meant to surrender the town

1300.

of Schwarzenbach to the abbey, when he expired; as if the purpose of his existence, the affording to the world a striking example of a great mind struggling with adversity, had been now accomplished. The king availed himself of a transient return of popularity, to take the advocacy of the abbey into his own hands, which he effected without exciting much alarm, the successor to the abbey having incurred general dislike; and the name of Herman de Bonstetten, who had in the last period of a meritorious life, been constituted by Albert Imperial Præfect in this province, being universally revered both in the city and abbey of St. Gallen.

Of Glaris.

Burcard of Schwanden in the country of Glaris, who, as an imperial feudatory had, in the wars between Adolphus and Duke Albert, sided with the former, did not escape the resentment of the new monarch. His castle, and those of his vassal Berthold, at Schwanden, Soole, and Schwendi, were all

taken and demolished. Being thus deprived of all his property, he took refuge with the knights of St. John, among whom he signalized himself at the taking of Rhodes; and at length died grand-master of the order in Germany. While this brave man was thus the sport of relentless power, many from among the best families of Glaris [12] withdrew into the valleys of Schwitz and Uri, and to the city of Zuric; for the king having settled the advocacy upon his own family, they saw just cause to dread the total extinction of their liberties, and resolved to seek a country where freedom as yet seemed less precarious.

Other acquisitions of Albert.

Albert at this time compelled also the Abbot of Einsidlen [13] to surrender to the house of Austria the advocacy of his abbey, and with it the supremacy over all the lands which had long been the objects of contention between the monastery and the people of Schwitz. He secured also to himself and his family, the provostship over the free people of Lax in Rhætia, and the reversion, after the extinction of the house of Rapperswyl, of the tolls on mount St. Gothard. Either as chief of the empire, or by purchase, he likewise procured the supreme authority in the high valleys of Hasli, over the lands of the monastery of Interlachen, in the Oberland, and down the Argau, where many barons dwelt in lofty castles, in perpetual strife, some in penurious want, and all in suspicious fears and jealousies. Austria itself took umbrage at Albert's increase of power in the impregnable fastnesses of the Alps; and all his subjects acknowledged that his rapacity had no bounds.

His conduct towards the Swiss.

Anxious to unite under his sovereign sway all the districts

[12] Of the Tschudis, Netstallers, Frauler, Stuki, Kirchmatter, &c.

[13] John, brother to the abovementioned Burcard of Schwanden.

CHAP. VI.

that intervened between his hereditary dominions, and impatient of the control offered to despotism by the franchises of the people, and the obstructive authority of their domestic states and magistrates, Albert sent the Lords of Oxenstein and Lichtemberg to the valleys of Schwitz, Uri and Underwalden, with the following proposal: 'You will do wisely, 'both for yourselves and your posterity, if you will wholly 'commit yourselves to the protection and guidance of the 'royal house. The advocacies of all the abbeys which own 'estates and vassals among you, and all that Kyburg and Lenz-'burg once possessed in your valleys, you are well apprized 'are now the undoubted property of the king: and you must 'needs be aware that you cannot resist his numerous and well 'disciplined forces. The monarch would willingly consider 'you as his favourite children. He is the grandson of the 'Count of Lenzburg, your former advocate; and son to King 'Rudolph, a brave, powerful and victorious prince, to whom 'it was both honourable and expedient to pertain. The desire 'of Albert to receive you under his immediate patronage does 'not, you may be assured, proceed from any wish to possess 'your cattle, or to extort any part of your scanty property; 'but merely because he has heard from his father, and has 'learnt from the records of history, that you are a brave and 'loyal people. He loves brave men; and will pride himself 'in leading you to victory, in enriching you with the spoils of 'war, and promoting your welfare by all manner of profitable 'grants and privileges.' The nobles, freemen, and all the people of the valleys answered; 'We well remember what a 'glorious leader, and firm protector, we had in the late King 'Rudolph, and we will ever acknowledge it to his posterity:

'but we are partial to the condition of our forefathers, and 'are desirous to continue in it: all we desire is that King 'Albert will confirm us in the enjoyment of it.'

The people hereupon sent Werner Baron of Attinghausen, their landamman, to the court of Albert, to solicit the confirmation of their charter of liberties, and to ask for the appointment of a criminal magistrate: but the king, being engaged in a war with the electors, and at no time easy of access, referred the application to his commissaries at Rotenburg and Lucern; and sent to Uri a peremptory order not to demand any longer the land-tax that had been usually paid by the abbey of Wettingen. The Swiss seeing themselves thus slighted and unprotected, entered into a decennial league with Werner Count of Homberg, lord of the marches towards the lake of Zuric; who, by the assertion of some claim, had likewise incurred the king's displeasure. Werner having received an insult, they, prompted by equity, marched against his adversaries in the Gaster, a district at that time dependent on the king.

Meanwhile, lest their submission to the Austrian delegates, who now made their first appearance in these valleys, should be construed into an acquiescence in the assumed authority, the Swiss renewed their application for an Imperial commissary. King Rudolph had been accustomed to name to that office one of the great counts, whom in all capital cases, the people invited into their valleys. Albert sent them Herman Gesler of Bruneck near Hapsburg, and Berenger of Landenberg, a man of good descent, but whose cousin Herman, though high in favour at court, was universally abhorred in Austria.

CHAP. VI.

These imperial bailiffs[14] having no castles or residences of their own, determined, perhaps by order of the king, to fix their constant habitations in the valleys. Landenberg took up his abode in one of the king's castles, on a pleasant eminence near Sarnen in Underwalden; and Gesler, because there was no public edifice for him in the district he came to administer, built a strong castle near Altorf in the valley of Uri, to which he gave a name that must ever be odious to a free-minded people.[15]

The Baron of Attinghausen was eminently distinguished among his countrymen for his ancient descent, his venerable age, his experience in public affairs, his ample fortune, and his genuine and ardent patriotism. Among a people of simple manners, it often happens that particular families are continued for many generations in the higher offices of magistracy. Such were among the Swiss, the Redings of Bibereck, the Beroldingens and Winkelrieds, whose descendants have survived the Confederacy for which many of them had bled abundantly. Werner Stauffacher was honoured at Schwitz, both because his father had been an upright magistrate, and he himself was an honest, discreet and substantial yeoman. Such were the men in whom the people reposed their confidence, because they had known their fathers, and saw daily

[14] The German word *vogt* has numberless significations. It often means a guardian, an administrator, a steward, and even a parish constable and beadle. We have explained its import in *Shirm-vogt* and *Kast-vogt*, (chap. iii. note 15.) *Reichs-vogt* we have occasionally rendered by imperial commissary, or præfect. The civil governors sent by Austria into the Swiss valleys, bore the name of *Land-vogt*; which, though the word be not accurately descriptive of their functions, we have yet, in compliance with custom, converted into *bailiff*.

[15] *Twing, or Zwing Uri, i. e.* the curb of Uri.

proofs of their own intrinsic worth and patriotism. Whenever strangers came among them and pointed out defects, or urged the propriety of reforms, they became suspicious, and clung still closer to the maxims of their forefathers. All innovations, perhaps merely from habit, seemed dangerous to them; the difference of days, in the uniform tenor of a pastoral life, being only marked by the revolving seasons. They lived, for the most part, in scattered habitations dispersed singly in meadows, on rising grounds, and near refreshing springs. Among such a people little is said; but they observe much, and their impressions are deep and permanent: they have leisure for much meditation; and when on their festivals they met at church, they mutually communicated their thoughts, and cleared up whatever doubts might have occured to them. Such was this people still in our days, when providence decreed that honest candour, guiltless felicity, and unaffected piety, should feel the shock which threatens the subversion of all virtue and religion.

The new bailiffs soon betrayed their tyrannical dispositions. Every trivial offence was punished by long and severe imprisonments, in gloomy, loathsome, and often distant dungeons. The tolls were raised; and trade was impeded, and in many instances wholly prohibited. The people sent remonstrances to the king, at a time when a bailiff had been assassinated in Styria for similar practices. Albert was then engaged in a war with Wenceslaus King of Bohemia, his brother-in-law; and the Swiss in vain sued for redress against the oppressions of Landenberg. The clergy, resenting the decree of the people, that they should, like the rest, be bound to contribute towards the public exigencies, declared in favour of the king.

CHAP. VI.

Wolfenshies, a youth of Underwalden, deviated from the maxims of his countrymen and kindred, and accepted from the king the command of the castle of Rossberg in Underwalden; and there was great reason to apprehend that his rashness and ambition would prompt him to acts still more flagitious. The people, who in ordinary times were of a tranquil easy disposition, and had now been long accustomed to spend their days without fear of molestation, to earn by a moderate share of labour a quick succession of rural enjoyments, and to feel themselves secure under the protection of the empire, were now greatly dismayed at the dangers they saw impending.

Whether the king's severity had any specious pretence of justice; whether his exactions had been occasioned by his necessities; and whether, in the exertion of his rigour, he ever manifested any kindness towards the Swiss, must now remain unknown. Could such extenuating facts be proved, it might in some degree soften the censure that bears heavy against the monarch, but it could never exculpate the wanton insults inflicted by his ministers. They, as generally happens with mean presumptuous upstarts, displayed on all occasions, a sullen haughtiness and contempt of the people, which frequently excites more indignation than actual tyranny. The ancient families, whose names the people ever pronounced with reverence and affection, they called a "rustic nobility." Landenberg, riding through Steinen, noticed the house of Stauffacher, its substantial structure, the number and large dimensions of its windows, and showy decorations on its walls, and called out to the proprietor,—'is it not a shame that vile 'peasants should live in such good houses?' The keeper of

the castle of Schwanau, on the lake of Lowertz, in the valley of Schwitz, had ravished a young maiden, the daughter of reputable parents. The shepherds of the Alps, comely in figure, of florid health, artless in their professions, and exhilarated by the splendour of the scenes that surround them, do not (until controlled by matrimonial ties, which they hold sacred) restrain the instinct of nature with scrupulous severity; but compliance with them must be sued for, and not compelled, nor requited with contumely. The brethren of the unhappy victim sought out the vile seducer, and slew him. Wolfenshies, coming one morning out of the dale of Engelberg, saw a handsome woman crossing a meadow, near the pleasant village of Alzelen: having learnt that her husband, Conrad Baumgarten, was gone from home, he ordered her to prepare a bath, and gave hints which alarmed her modesty: under pretence of going to undress in an adjoining room, she went in search of her husband, who came instantly, and put to death the base intruder.

Before Baumgarten could be apprehended, and the joint efforts of men like Gesler had time to avenge the death of the keeper of Schwanau, the wife of Stauffacher, recollecting with terror how much their tyrant envied them their house, exhorted her husband to guard against the impending storm. Werner stepped into his boat, and crossed over to his friend Walter Furst of Attinghausen in Uri. Here he met a brisk high minded youth, who kept himself closely concealed. Walter acquainted his friend 'that this young man came from Melch-'thal in Underwalden; that his name was Arnold,[15] and that

[15] His patronimic name was Von der Halden; but history has immortalized him under that of his native place.

CHAP. VI.

'he was his kinsman: that Landenberg had, for a trifling 'offence, seized on his team of oxen; and that his father 'Henry, bewailing this heavy loss, had been told by one of 'the bailiff's officers, that if peasants will eat bread, they may 'even draw the plough themselves: that Arnold, unable to con- 'tain his youthful ardour, had struck the officer, and fractured 'one of his fingers: that upon this he fled, and had ever since 'remained concealed; but that the relentless bailiff had caused 'the eyes of his aged father to be put out.' They now jointly lamented the unhappy state of their country, and that justice, equity, and all their hereditary rights were wantonly trampled upon. Walter moreover attested, that the wise and benevolent Lord of Attinghausen had solemnly declared, that the increasing innovations were now become insufferable. Aware that open resistance would expose them and their country to the relentless fury of their oppressors, they agreed nevertheless that the measure of their woes was full, and that death was preferable to a tame submission to so ignominious a yoke. Thus resolved, they agreed that each of them should sound the dispositions of his most confidential friends and relatives; and for their future meetings they pitched upon the field named Rutli,[16] in a sequestered vale at the foot of the rock Mytenstein, near the boundaries of Uri and Underwalden. Here, in the midnight hour, they often deliberated on the great project they had in contemplation, and each imparted the progress he had made in the prosecution of the meditated revolt. Hither came Furst and Melchthal along secret paths over the heights, and Stauffacher in his boat. Each brought his most trusty

[16] Some write this memorable name Grütli (Novale).

friends, who joined in the bold enterprize: here they all freely declared their thoughts, communicated intelligence, and suggested expedients without reserve or apprehension; and the more hazardous the attempt appeared, the more closely were their hearts united, CHAP. VI.

In the night preceding the eleventh of November, came Furst, Melchthal, and Stauffacher, with each ten associates, men of approved worth, and who had freely declared their abhorrence of the unwarranted oppressions of the bailiffs. These three and thirty undaunted patriots, [17] deeply impressed with the sense of their hereditary freedom, and firmly united by the dangers that threatened their country, being thus met in the field Rutli, suffered neither the vindictive wrath, nor the whole formidable power of the house of Hapsburg to divert them from their purpose, but with one heart and mind resolved—'that in this great enterprize none of them would 'be guided by his private opinion: that none would forsake 'his friends; but that they would all jointly live and die in the 'defence of the common cause: that each would, in his own 'vicinity, promote the object they had in view, trusting 'that the whole nation would one day have cause to bless this 'friendly union: that the Count of Hapsburg should be de- 'prived of none of his lands, vassals, or prerogatives; and that 'his bailiffs, their officers and attendants, should not lose 'one drop of blood: but that the freedom they had inherited 'from their forefathers they were determined to assert, and to 'hand down to their posterity, untainted and undiminished.' 1307.

[17] The word Patriot, when this was written (Anno 1798) had incurred an odium, because it had been misapplied. The day, it is to be hoped, will yet return, when a true friend of his country may resume that name without a blush.

CHAP. VI.

Thus fixt in their resolve, while, with tranquil countenances and honest hands, each beheld and clasped his friend; while at this solemn hour they were wrapt in the contemplation that on their success depended the fate of their whole progeny; Werner, Walter and Arnold, held up their hands to heaven, nd in the name of the Almighty, who has created man to an nalienable degree of freedom, swore, jointly and strenuously, o defend that freedom. The thirty heard the oath with awe, nd with uplifted hands, attested the same God and all his aints, that they were firmly bent on offering up their lives for the defence of their injured liberty. They then calmly agreed on their future proceedings; but for the present, each returned to his hamlet, observed profound secrecy, and tended his cattle.

William Tell.

Meanwhile the progress of wanton oppression put a period to the life and cruelties of the Bailiff Herman Gesler. Prompted either by restless suspicion, or by some intimation of a meditated insurrection, he resolved to mark those who bore his yoke with most reluctance, and had recourse to an expedient which, perhaps, had been practised by the ancestors of this people before they left their northern seats.[18] He raised a hat on a pole at Uri, to which he commanded all passengers to pay obeisance. William Tell of Burglen, in the valley of Uri, son-in-law to Walter Furst, a man in the full vigour of life, of an undaunted spirit, and one of the sworn friends of liberty, scorned to pay the respect Gesler had ordained to this

[18] Grasser, a Swiss writer, has pointed out some resemblance between various incidents in Tell's history, and those of Tocco a Scandinavian, whose feats are recorded by Saxo. The popular tale of the apple, which Tell was ordered to shoot at on the head of his infant son, is wholly omitted by Muller.

symbol of his usurped authority. An unguarded declaration of his contempt for this badge of servitude, induced the bailiff to seize his person; and thinking it unsafe, on account of the many friends and relations he had in his native valley, to detain him there, he resolved (contrary to the privilege of the people, which forbad their being sent to foreign prisons) to convey him across the lake. They had not navigated far beyond the Rutli, when on a sudden a boisterous south wind burst forth from the inlets of St. Gothard, and raised the waves on the lake to a tremendous height. The bailiff, justly alarmed at his own danger, ordered Tell, whom he knew to be an expert boatmen, to be freed from his fetters, and intrusted with the helm. They rowed in anxious suspense under the towering precipices on the right of the lake, till having approached the Axelberg, Tell steered close to a projecting cliff, sprung on shore, and leaving the boat to contend with the rocks and raging billows, climbed up the steep, and fled to Schwitz. The bailiff likewise escaped the storm, and landed at Kusnacht near the lower extremity of the lake; but Tell, aware of his own danger while such a foe survived, met him in a hollow road, and shot him with an arrow. Such was the end of Herman Gesler. He fell before the appointed hour for the deliverance of the country, without any co-operation on the part of the indignant people, but merely by the provoked resentment of a free, high-minded individual. The deed, it is true, cannot be justified on legal principles; and Tell has more than once been branded with the opprobrious appellation of conspirator and assassin: but it was a deed similar to many which have been highly extolled in history:

CHAP. VI.

nor is it at all expedient, or necessary, towards a well regulated government, that oppression should have no limits, and that tyrants should have nothing to fear. This deed of William Tell cheered the hopes, and animated the courage of the sworn associates; but many feared lest the anticipation might rouse the vigilance, and call forth all the efforts and precautions of the surviving bailiff. They, however, continued carefully to conceal their project: and thus ended the year one thousand three hundred and seven.[19]

The Bailiffs expelled. 1308.

One of the confederates, a youth of Underwalden, who was paying his addresses to a maid-servant in the castle of Rossberg, was frequently admitted to nightly visits in her chamber.[20] One of these visits he paid at the first hour of the year thirteen hundred and eight, when he ascended by a rope to one of the windows of the castle. No sooner had he been introduced, than twenty of his companions, who lay

[19] The name of Tell, except at a meeting of the community of Uri, in 1339, when an aid was voted for Berne, occurs no more, in the history of this country. He appears to have returned to his house at Burglen, upon the site of which a chapel has since been erected, as well as on the spot where he leaped on shore. He is said to have been drowned in 1354, in an inundation: two sons of his are mentioned, William and Walter. His male issue became extinct in 1684, and the female not before 1720. No honours, or rewards whatever, were conferred on him or his progeny; nor indeed on any of those who, on this occasion, freed their country. All their descendants lived in obscurity; some are even said to have died in hospitals. Such disinterestedness did their ancestors combine with so much heroism!

[20] These visits were then, and have long after continued to be customary, when a youth seriously intended to marry a young woman; and never implied the least suspicion of immorality. A practise not unlike this in North America, and deemed as innocent, has long been the subject of mirth and wonder among more refined but less continent nations.

concealed in the moat, were likewise drawn up, and entered at the same window. These immediately secured the keeper, his four soldiers, and all his attendants; took possession of the gate, and observed strict silence. Soon after daybreak, twenty other men of Underwalden came to Sarnen with their usual new-year's gifts to the bailiff, which, on this occasion, consisted of a large number of calves, goats and lambs, and abundance of poultry and game. Landenberg, whom they met on his way to church, commended their liberality; and ordered them to convey the presents to his castle. Being arrived at the gate, one of them blew a horn, and each drew out a pointed weapon, and fixed it on his staff. Thirty more of the confederates hastened from a neighbouring wood; and these jointly took possession of the castle, and secured all those they found within its walls. The appointed signal being now given, and instantly repeated from alp to alp, the whole country of Underwalden rose in arms. The men of Uri seized on Gesler's opprobrious tower; and the Schwitzers, led by Stauffacher, flew to the lake Lowerz, and possessed themselves of the castle of Schwanau. So punctual and expeditious were all these movements, that the messengers who reciprocally conveyed the tidings of the successes, met near the middle of the lake. Landenberg, aware of his danger, endeavoured to escape across the fields between Sarnen and Alpenach, but was overtaken and seized. He and all the keepers, officers and soldiers found in the castles, were conducted to the frontiers; where, after they had taken a solemn oath never to return within the confines of the three cantons, they were dismissed without the least hurt or molestation. The blind father of Melchthal, on this memorable day, once more blessed

CHAP. VI.

his existence: the chaste wife at Alzelen exulted in the safe return of her gallant husband: Walter Furst publicly extolled the courage of his son-in-law; and the wife of Stauffacher received with joyful festivity, in her house at Steinen, all the brave and trusty friends who had accompanied her husband to the Rutli and the lake Lowerz. The consciousness of returning liberty exhilarated every mind; and yet, amidst all the tumult and confusion that ever attends popular commotions, all the exultation that unavoidably succeeds the happy issue of so hazardous an enterprize, it is well attested that, in this instance, not one drop of blood was shed, and no proprietor whatever had to lament the loss of either a claim, a privilege, or a single inch of land. Landenberg repaired to King Albert; and the Swiss met on the next succeeding Sunday, and once more confirmed by oath their ancient, and (as they have ever fondly named it) their perpetual league.

King Albert slain,

Albert came early in the spring to his western dominions, in order to prepare for a war against Bohemia, and established his court at Rheinfelden. He was accompanied by John, the son of his late brother Rudolph, who secretly repined at the injustice of his uncle, in withholding from him, although now of age, his father's share of the hereditary dominions of the house of Hapsburg. The king unwilling to yield up those ample territories, had formed the project of indemnifying his nephew by the grant of some distant provinces in Saxony, which he was preparing to conquer. In his way to Rheinfelden he visited the Thurgau and Argau; and at Baden he issued strict orders that all communication with the forest cantons be henceforth prohibited; and gave manifest indications of his determined purpose to resent the late insult on his

delegates. Duke John, abashed by the presence of Leopold, the king's third son, who, although not older than himself, had yet been some time in possession of high honours and extensive domains; and stimulated by many of the nobility of Argau, who, weary of the stern severity of Albert, looked for a more lenient sovereign, demanded anew, and with some importunity, the territories his father had held during the life of King Rudolph. Irritated by repeated denials, he poured forth bitter complaints into the bosoms of his confidential and equally discontented friends, who, although conscious of their inability to compel redress, yet resolved to convince Albert that those who fear nothing, are always formidable. Duke John and several nobles, conspired now the death of Albert. These nobles were Walter Baron of Eschenbach, whose estates and influence extended from the lake of Zuric to the Oberland; who was related to all the principal families in the Argau, Thurgau and Rhætia; but who owed his power and renown much more to his eminent virtues than to his illustrious birth and ample property: Rudolph Baron of Wart, a cousin of Eschenbach, whose castle was situated in Kyburg: Rudolph de Balm from Lenzburg; and Conrad de Tegerfeld, from the neighbourhood of Baden, who had superintended the education of the young injured prince.

On the first of May, in the tenth year after he had triumphed over, and contrived the death of his legitimate sovereign King Adolphus, Albert set out from the citadel of Baden in his way to Rheinfelden, accompanied by Landenberg, Everard de Waldsee, on whose account he had forfeited the affection of his Austrian subjects, Burcard Count of Hohenberg his cousin, and several other nobles and attendants; being arrived at the

CHAP. VI.

ferry over the Reuss near Windish, the king was, under pretence that the boat must not be overburdened, insensibly led away by the conspirators to some distance from his retinue. He was riding leisurely across some corn fields bordering on the hills of Hapsburg, and conversing with Walter de Castelen, a knight whom he had met on his way, when Duke John, approaching on a sudden, exclaimed, 'Take this as a reward 'for thy injustice,' and thrust his spear into the neck of Albert. Balm hereupon rushed in, and pierced his body; Eschenbach clove his head; Wart stood aghast; and Castelen fled. The king streaming with blood sunk to the ground, and soon after expired in the arms of a poor woman, who seeing his deplorable condition, had hastened to his assistance. He had before escaped two similar conspiracies, but this third, the contrivance of an insulted kinsman,[21] proved fatal.

His death avenged.

Duke John and his friends, struck with a sudden panick, as if this had not been a premeditated and wilful act, fled different ways, and met no more after this portentous hour. The Duke escaping into the mountains, lay a few days concealed at Einsidlen, and lurked some time solitary and forlorn in the adjacent woods: he then assumed the habit of a monk, and wandered into Italy: King Henry of Luxemburg saw him at Pisa;[22] after which he disappeared, and consumed the remainder of his days in profound obscurity: nor has it ever been authentically disproved that a blind beggar, who was seen many years after receiving alms at the new market at Vienna, was actually, as he asserted, the son of this unfortunate

[21] In answer to one of Duke John's most urgent solicitations for his inheritance the king presented him with a chaplet of flowers, observing 'that this best became 'his years.'

[22] In the year 1313.

prince, and grandson to the great Rudolph. It is not known where, and how soon Balm ended his hapless days. Tegerfeld was never after heard of. Eschenbach fled with Wart up the river Aar to the castle of his uncle at Falckenstein: he is known to have lived five and thirty years afterwards as a shepherd, in the country of Wurtemberg, where he disclosed his rank shortly before his death, and was buried with the honours due to his illustrious birth. The Baron of Wart, who had seen, but no ways participated in the bloody deed, was betrayed by some of his relations into the hands of the sons of Albert, and by them instantly sentenced to death. While with broken limbs he lay agonizing on a wheel, he still, with manly fortitude, declared himself innocent of the crime for which he suffered. 'And indeed,' he added, 'those also who have committed the deed, are guiltless of a crime: they have, in fact, 'destroyed a monster, who, violating all ties of honour and 'religion, had laid bloody hands on his liege lord and sovereign;' and in defiance of all justice and equity, withheld 'from his nephew his lawful patrimony; and who truly 'deserved to suffer the tortures I now endure. May God 'take pity on me, and pardon my transgressions!' His wife (a lady of the house of Balm) after having in vain prostrated herself at the feet of Agnes, daughter of Albert and Queen of Hungary, and conjured her by the mercy she hoped to find on the day of judgment, to take compassion on the unhappy baron, attended her husband to the place of execution. She continued three days and three nights at the foot of the wheel, in constant prayer and without sustenance, until he expired: she then went on foot to Basle, where she soon after died,

CHAP. VI.

oppressed with grief. Russeling, a servant of the baron, shared in the fate of his unhappy master.

Duke Leopold having collected forces, marched against the castle of Wart, took and demolished it, and put to the sword all the retainers of the baron who had attempted to defend it. John, a brother of Baron Rudolph, although he had been no ways concerned in the conspiracy, was nevertheless despoiled of all his property, and left to pine away the remainder of a necessitous life, in a remote and wretched cottage, once the property of his forefathers. Farwangen, the principal seat of the family of Balm, surrendered on a promise of mercy; but no sooner was the duke possessed of it, than he, and his sister Agnes, caused six and thirty of the garrison, many of them nobles, who all, to their last breath, called God to witness of their innocence, to be dragged to a neighbouring wood, and there beheaded in their presence. Mashwanden, a castle of Eschenbach, was taken, and its whole garrison put to the sword. In the midst of the carnage, a child of Count Walter was discovered by his moans in a cradle, and with much difficulty saved by the ferocious soldiers, from the relentless fury of Queen Agnes, who was preparing to butcher it with her own hands. She was then scarce six and twenty years of age.

More than one thousand men, women and children having thus, chiefly at the instance of the relentless Agnes, been cruelly slaughtered, this queen, jointly with Elizabeth her mother, founded on the field where the murder had been committed, the site of the ancient Vindonissa, a sumptuous monastery for minorites and nuns of St. Clara. Its high altar

CHAP. VI.

was raised on the spot on which Albert had expired. This foundation has since flourished under the name of the abbey of Koenigsfelden. It was exempted from all contributions and secular jurisdiction. The dowager queen, Agnes, and many other princesses and illustrious dames, who were desirous to ingratiate themselves either with God, or with the court, conferred on it ample endowments in lands, tithes, jewels, and rich garments. Agnes, who from her infancy had shewn a great aversion to the splendour and dissipations of a court, and had reluctantly consented to her marriage, fixed her abode near this monastery: every morning she attended the celebration of mass, and all the afternoon she worked with her maids at some church implement or decoration: she observed all the fasts and ceremonies with the most scrupulous punctuality, and displayed great humility and beneficence in washing the feet of pilgrims, and distributing alms to the poor; and yet she, in vain, endeavoured to prevail on a venerable hermit in the neighbourhood, to visit the church of the monastery. 'They,' said he, 'who shed innocent blood, 'and found convents with the spoils of the victims, can never 'be truly pious. The father of mercies delights in benignity 'and forgiveness.' Others have recorded also of this queen, that she possessed uncommon vigour and activity of mind; but that her great semblance of piety could not always be relied on with safety.

Thus ended the restless ambition of Albert; which, while it cost him the love of all his subjects, and the confidence of his contemporary princes, terminated ultimately in his own untimely death, the ruin of the only son of a brother, and

CHAP. VI.

the final extirpation of an illustrious race of ancient barons, and of many distinguished vassals. The bold achievement of the Swiss meanwhile, drew on a series of hostilities, which, in less than a century, brought about the intimate union of all the states of Helvetia and Rhætia, and finally, the establishment of their renowned Confederacy.

## CHAP. VII.

### *League of the four Forest Cantons.*[1]

CHAP. VII.

Consequences of Albert's death.

In the first moments of doubt and consternation after the violent death of Albert, Count Burcard of Hohenberg hastened to convey Duke Leopold to the citadel of Baden: and Albert's dowager queen, undismayed in the midst of terrors, instantly appointed Count Immer of Strasberg, and Henry Lord of Griessenberg, both of whom she knew to be popular in the country, and well affected to her family, to administer the western provinces. She also took every precaution that prudence could suggest, in order to insure to Frederick, the eldest son of Albert, the immediate succession to the vacant throne. All the neighbouring cities and states saw likewise the necessity of providing for their own security. Zuric cleared away the rubbish that had long obstructed its gates, which had never been shut for upwards of thirty years: the Abbot of St. Gallen obtained, in less than one year, eight subsidies from his people, all which he expended in warlike preparations: the Swiss raised intrenchments at the inlets of their country: and the Underwalders secured the landing place near Stanz with strong palisades, and a massy tower. The nation thus guarded, observed with tranquil, but cautious circumspection, all the

[1] See chap. iii. note 75.

CHAP. VII.

momentous occurrences around them: they answered the Austrian emissaries who came to solicit their aid; 'that they 'saw no reason for avenging the death of a monarch who had 'never done them any kindness, upon persons who had never 'molested them; and that they were determined to remain at 'peace with all those who were peaceably inclined towards 'them.' Soleure and Berne renewed the alliance which had long subsisted between them: and the towns of Argau, recollecting how much preferable their condition had been, under Rudolph and Albert, than formerly under the nobles, swore, at the citadel of Baden, to support the house of Austria. The electors, in the meanwhile, frustrated the hopes of that aspiring race; and, at the recommendation of the Archbishop of Mentz, raised Henry of Luxemburg to the Imperial throne.

The Dukes Frederick and Leopold advanced now towards mount Albis, and invested the Schnabelberg, a castle of the Barons of Eschenbach. Aware, however, that so near an approach might alarm the city of Zuric, and anxious lest their progress should excite the jealousy of the Swiss, who had always befriended the barons, they resolved to assume an appearance of moderation. They ceded to the city, out of the estates of Eschenbach, a considerable tract of land, and a large wood on the river Sil, the first territory possessed by Zuric; whose burghers on this occasion, shewed less magnanimity than regard for their own interest. The castle was hereupon taken and razed, and the garrison inhumanly butchered. The Swiss derived a consciousness of security from the countenance shewn them by King Henry, who, convinced that the Austrian bailiffs in the cantons, had merited their fate, and well apprized that at their expulsion the

CHAP. VII.

ıcs of Hapsburg had not been deprived of either a vassal, revenue, or an estate, granted them the most ample confirnation of their sole dependence on the empire, and an exemption from all foreign jurisdictions. Three hundred of the onfederates accompanied the king into Italy; and those who emained behind drove their cattle into the Alps.

A contest between Schwitz and Einsidlen.

During these commotions, and the rising animosity of the ıustrian princes against the Swiss, a dispute arose between ıis people and the abbey of Einsidlen, which, however, was ɔon composed through the mediation of Zuric. A treaty was ɔncluded, in which a certain number of men of rank were amed arbitrators for the adjustment of all future differences. 'he burghers of Zuric were particularly interested in the reservation of tranquillity in these parts, both on account of heir trade with Italy over mount St. Gothard, and because, ince the Princes of Hapsburg had refused admission to the wiss into Lucern, this people had been accustomed to convey ıeir cattle, and the produce of their dairies, through Einsid-:n, to the markets of their city. The canons, on the other and, most of whom were men of birth, held the peasants of chwitz in great contempt; while these reciprocally paid little eference to the assumed importance of the ecclesiastical dig-itaries. Scarce one month had elapsed from the conclusion f the above treaty, when two men of Schwitz went with their ımilies on a pilgrimage to the miraculous image of the Virgin t the abbey. Having performed their devotions, they walked ı the neighbouring fields, and were accosted by four of the anons, the school-master and the parish priest: these enter-ıg into conversation, threw out reflexions on the peasants, idiculed the coarseness of their manners, taxed them with

1311.

CHAP. VII.

injustice in the late insurrection, and intimated that they would now no longer be countenanced in their audacity, since men of high distinction and friends of the abbey, were henceforth to restrain their conduct. The Schwitzers answered, 'that they had never claimed, and never should 'demand, what was not their unquestionable right: and that 'as to rank, a freeman was in every respect equal to a baron.' This irritated the canons, who drew out knives, and wounded the pilgrims: the women shrieked; and a crowd gathered, in which the two men found means to escape the fury of their assailants. This insult having been reported at Schwitz, the landamman assembled the people, and, in its name, sent a messenger to Einsidlen, to declare 'that the treaty had been 'impiously violated.' The abbot received the notice with concern, and promised redress; but the Schwitzers, who knew him to be a man of an easy temper and feeble authority, declared that they could have no reliance on this promised satisfaction: reflecting, moreover, on the boasted partiality of the arbitrators, they added, 'that as the monks had wantonly 'infringed the treaty, they should no longer abide by any 'award that might be made conformably to its tenor.'

This treaty contained a clause, by which either party that declined an arbitration was held to pay a fine of two hundred marks of silver. The Swiss being called upon to fulfil this article, peremptorily refused payment, repeatedly alledging that they were no longer bound by the treaty. The monks hereupon sent their hostages to Zuric, who, according to the practice of those times, were ordered to live profusely at the cost of the Cantons, until matters should be adjusted.[a] These

[a] See chap. v. note 22.

had already incurred considerable expences, when the magistrates of the city, either unwilling, or deeming themselves unable to enforce compliance, ordered them to depart. The Swiss hereupon appealed to the Emperor, who was at that time in Italy, and in the meanwhile continued without fear or hesitation, though never unarmed, to frequent the markets at Zuric. The cause was pleaded before Everard Baron of Burglen, the Imperial commissary in the Oberland, who decided that the fine of two hundred marks should be relinquished but admonished Werner Stauffacher, at that time Landammai of Schwitz, and his community, to pay nine hundred livres in full satisfaction for the costs.

Meanwhile an attempt was made by the burghers of Lucern, 1314.
subjects of Austria, to invade the canton of Underwalden. They came in a vessel they had named the Goose, to the tower on the strand near Stanz. The centinel saw their approach, gave the appointed signal, and rolled a large millstone against the bark; and a passage-boat from Uri arriving at that instant, the Lucerners were repulsed with considerable loss.

The Swiss, convinced that a lasting peace can only be insured by striking terror into the adversaries, resolved to take exemplary vengeance for the insult they had received from the haughty monks. They accordingly, in the night of the first of March, attacked the abbey on a sudden, and so completely surrounded it, that no one could hope to escape undiscovered. In the general consternation struck by this unexpected invasion of so holy a sanctuary, the four canons, the school master, who has since sung the horrors of that

CHAP. VII.

night,[3] and the parish priest, were seized without opposition, and conveyed over the mountains to the town of Schwitz. The abbot, who was then absent, was soon apprized of this daring attempt, and of the terrors of the captive priests, who dreaded equally the loss of life, and the tortures they thought themselves likely to endure: he, therefore, and several of their powerful friends, sent urgent letters to the Swiss, to solicit the enlargement of the prisoners, signifying, that by such an act of clemency, they would infallibly gain the respect and admiration of all their neighbours. These letters were read to the community, who consented that, on the monks paying the expences of their hostages, the priests should be released. Whether owing to some want of punctuality in these payments, or perhaps on account of the awe that was struck by so sudden and decisive a blow on the part of the Swiss, Zuric appears at this time to have been estranged from that people, insomuch that in a subsequent treaty with the Dukes of Austria, the city engaged to act offensively even against the Cantons.

Election of two Kings of Germany.

The Imperial throne having meanwhile become vacant by the suspicious death of Henry,[4] a competition arose between Lewis of Bavaria, and Frederick of Austria, for the succession. Each was chosen by his party; and while the electors and all Germany still hung in doubtful suspense, the Swiss, bearing in mind the harsh treatment they had experienced

[3] See Hartman Ann. Einsidl.

[4] He is said, but upon no good authority, to have been poisoned by a Dominican friar, in the administration of the Eucharist. He had been crowned at Rome in 1312.

from Albert, openly, and without hesitation, declared for Lewis. Duke Leopold incensed at this defection, vowed vengeance against the daring opposers of his brother's claim. This prince displayed through life a most aspiring mind, and tenacious arrogance; and his passions were so vehement, that whenever thwarted, his rage rendered him truly ferocious, and terrific to those who approached him.

Whence a war with the three cantons.

The Abbot of Einsidlen and the Bishop of Constance, whose see extended over the three cantons, urged by their own resentments, and encouraged by the animosity of the Austrian princes, ventured now to excommunicate the Swiss; and the abbot, moreover, obtained against them the imperial interdict. The Archbishop of Mentz, however, the metropolitan of Constance, repealed the excommunication; and King Lewis, reprobating the austere severity of the Austrian dukes, revoked the interdict. Duke Leopold upon this resolved to invade the cantons, confident that their reduction would be the mere sport of a day. It is well attested, that he repeatedly declared, 'he would trample the audacious rustics 'under his feet;' and that he had procured a large stock of cordage, for the purpose of binding their chiefs, and putting them to death. Few princes have been aware of the irresistible, and almost miraculous powers of a free-minded people, when it feels the iron rod of oppression: and Leopold was particularly accustomed to ridicule the aukwardness of the alpine shepherds in the martial exercises. The neighbouring states, however, conscious that, should these cantons be once overpowered, their own safety would be exposed to imminent danger, took the alarm, and endeavoured by persuasions and entreaties to divert the duke from his intended expedition:

1315.

CHAP. VII.

but their attempts were vain; the terms he offered to the Cantons being such that they could not accede to them, without at once renouncing their honour and independence. They answered to his injunctions, 'that it was they who 'were, in fact, the party injured: that if the duke was de- 'termined to invade them, they would, unawed, and firmly 'relying on the protection of the Almighty, await his coming, 'and do their utmost to repel his unmerited attack.' Daily experience evinces how ruinous pusillanimity is to every state that aims at independence: and hence it is easy to conclude what would have been the fate of this small people, had they, in this hour of imminent danger, preferred a tame submission, to the firm, though hazardous purpose of asserting their liberty.

The nuptials of King Frederick with Isabella of Arragon, and of Duke Leopold with Catherine of Savoy, having been celebrated with great pomp and festivity at Basle, the duke repaired to Soleure, on whose burghers he prevailed to acknowledge the election of his brother; and thence came to the citadel of Baden, where he held a council of war, in which he announced the following plan for the intended invasion. 'In order to bring the war against the refractory cantons to 'a speedy and happy conclusion, it will behove us to attack 'them at once in various quarters. Should they perceive our 'purpose, their union, on which they so confidently rely, will 'be at once dissolved; and they will hence be able to offer 'but a feeble resistance to our combined assaults: should 'they, on the other hand, not be apprized of our intentions, 'we shall in that case take some by surprize, defeat others, 'seize on many, and surround them all; and thus infallibly

CHAP. VII.

'extirpate the whole nation.' Three separate attacks were accordingly prepared: commanders were appointed to each; and, the star of Austria appearing at this time propitious, the troops marched forth to their various destinations. Otho the younger, Count of Strasberg, at this time Imperial Præfect in Oberhasli, advanced with four thousand men through the Oberland to the frontiers of Underwalden: his progress was greatly facilitated by the friendship that had long subsisted between Duke Leopold and Count Peter of Gruyeres, and by the inveterate feuds that perpetually divided the nobles and the people. Upwards of one thousand men assembled at Lucern, who, under the command of the Austrian bailiffs of that district, prepared to invade Underwalden on the side of the lake.

The duke himself conducted the main army, in two columns towards Zug. A numerous body of heavy cavalry, which although the cumbersome weight of their armour was ill adapted for the services here required of them, was yet considered as the flower of the Austrian army, led the van. The duke was joined by all the ancient nobility of Hapsburg Lenzburg and Kyburg, among whom were numbered the Marshal de Hallwyl, long and zealously attached to Duke Leopold, Landenberg, and the kinsmen of Gesler, still glowing with vindictive rage; several of the Bonstettens, who being possessed of considerable estates on the lake Egeri were well acquainted with the inlets of the cantons; Count Henry Montfort of Tettnang, who, either from the pride of rank, or an ardent zeal to signalize himself in the service of the duke, professed an inveterate enmity against the Swiss: the Counts of Thun and Lauffenburg, emulous to excel each

CHAP. VII.

other in their first deeds of arms; the Count of Tockenbu who came reluctantly, but yielded to the dictates of gratitu the duke having lately conferred on him the administrat of Glaris and the Gaster; and even Werner de Honberg valiant chief, who hoped by his services to merit the revers of the county of Rapperswyl. At Zug all the nobles w from a rooted aversion to the burghers, were hostile to in pendence, flocked to the ducal standard; and many also ca who engaged in the war rather from motives of self preser tion than of hatred to the cantons. Fifty burghers of Zu all clad alike, came conformably to the treaty; and the Bar of Urikon led on the subjects of Einsidlen, under the sac banner of the abbey.

Battle of Morgarten.

The Swiss, meanwhile, felt no dismay. The entrenchme that guarded the northern inlets of their country, extended from the road to Zug to that which led to Einsidlen, and were terminated at each end by a strong tower.[5] The people prepared to obey the first summons. Four hundred men from Uri and three hundred from Underwalden landed at Brunen, and marched up the meadow to the town of Schwitz. Here lived Rudolph Reding de Biberek, an experienced veteran, who, though now feeble in body, was yet so full of mental vigour and sagacity, that the people had been long accustomed to consider his opinion as decisive. 'Above all things,' said he, 'make yourselves masters of the conduct of the war, so 'that it may always be at your option, and never at that of 'the enemy, when, where, and how to risk an action. This 'object you will obtain by taking an advantageous post: you,

[5] The Schoren and the Red Tower, which are still extant, as well as some traces of the entrenchment.

CHAP. VII.

'who are by far the fewest in number, must so contrive that 'their greater extent of line may not avail the enemy; and 'hence must you also cautiously abstain from exposing your 'slender force except at a decisive moment, and never without 'some manifest advantage. The duke, you may be assured, 'will not chuse the pass at Art;[6] a high mountain on one 'side, and the lake on the other, being insurmountable impe- 'diments to the movements of an army: the road through 'the wood and along the side of the lake Egeri, is indeed 'equally difficult; but the pass is far shorter, and will hence 'infallibly have his preference: here all will depend on the 'proper use you shall make of a favourable instant. The 'heights above Morgarten, you know, form a natural bulwark; 'above which the old lawn,[7] spreading in an even plain, 'reaches the mountain Sattel: this mountain affords oppor- 'tunities for various advantageous operations. A sudden 'attack may be made across the lawn; you may thence fall 'upon the flank of the approaching enemy; you may break 'their column; and, if far advanced into the valley, annoy 'their rear: confined as they will be in the narrow pass, you 'may molest them various ways; you may break their ranks, 'and impede all their evolutions. The contempt your foe 'entertains of your skill in war, will facilitate all your 'manœuvres: and a defensive war is best carried on by those 'who are well acquainted with the nature of the country.'

[6] At the head of the lake of Zug.

[7] *Alte Matte* is still its proper name. Baron de Zurlauben has of late examined this memorable spot with great historical, topographical, and military accuracy; and pointed out the changes it appears to have undergone since this battle, by alluvions, inundations, and other irregular operations of nature.

CHAP. VII.

Reding having thus discharged his duty to his country, the people thanked him, and devoutly kneeling, prayed to God, their sole monarch, and now their only refuge, to bless their efforts in defence of the rights he had conferred. They then marched forth, thirteen hundred in number, and took post on mount Sattel.

In the preceding times of factious animosities, when private dissentions were scarce ever composed without numerous proscriptions, fifty men, who had rendered themselves obnoxious to the magistracy, had been banished from the canton of Schwitz. These, having heard of the danger that threatened the liberties of their country, came to the frontiers, and requested that they might be allowed to join the confederates on mount Sattel, and prove by their exertions that, although driven from their native seats, they were not, however, unworthy of their ancestors. The magistrates, deeming it unwise to deviate from an established rule because a danger was impending, refused to admit the exiles within their confines. Thus rejected, the fifty men nevertheless resolved to expose their lives in the cause of their country, and posted themselves on an eminence above Morgarten, beyond the frontiers of the canton.

The fifteenth of October, of the year thirteen hundred and fifteen dawned. The sun darted its first rays on the shields and armour of the advancing host: their spears and helmets glistened from afar; and, this being the first army ever known to have attempted the frontiers of the cantons, the Swiss viewed its long protracted line with various emotions. Montfort de Tettnang led the cavalry into the narrow pass, and soon filled the whole space between the mountain and

the lake. The fifty exiles on the eminence raised a sudden shout, and rolled down heaps of stones and fragments of rocks among the crowded ranks. The confederates on the mountain, perceiving the impression made by this attack, rushed down full speed, but in close array, and fell upon the flank of the disordered column. With massy clubs they dashed in pieces the armour of the enemy; and with long pikes they dealt out blows and thrusts wherever opportunities offered. Here fell Rudolph of Hapsburg Lauffenburg, three Barons of Bonstetten, two Hallwyls, three Urikons, and four of the house of Tockenburg: two Geslers were likewise found among the slain; and the vindictive Landenberg met his doom from the hands of those he had long wantonly oppressed. The Confederates lost a son, or cousin of Walter Furst of Uri, the Lord of Beroldingen, and the aged Baron of Hospital, whom his son had in vain endeavoured to dissuade from engaging in the perilous contest. The narrowness of the defile admitted of no evolutions; and a slight frost having injured the road, the horses were impeded in all their motions: many leaped from this unusual conflict into the lake; all were startled; and at length the whole column gave way, and fell suddenly back on the infantry, which had already advanced into the pass: these saw the precipitate retreat before they could learn its cause; and as the nature of the country did not allow them to open their files, they were run over by the fugitives, and many of them trampled to death by the horses. A general rout now ensued: the Swiss pursued, and continued the slaughter: all the fifty auxiliaries from Zuric fell on the post that had been assigned them: and Leopold was, with much difficulty, rescued from the carnage by a peasant,

CHAP. VII.

who, knowing the bye-paths in the mountains, led him to Winterthur, where the historian of the times[8] saw him arrive in the evening, pale, sullen and dismayed. Thus did the Confederates, in less than three hours, without much loss, but by skilfully availing themselves of the imprudence of their enemy, and by their own timely and vigorous exertions, gain at once a compleat and decisive victory.

Strasberg defeated.

Strasberg, of whose approach and numbers, the Underwalders had not as yet received any intelligence, came the same day, unawares, over mount Brunig; and descended, with four thousand men, through Sarnen to the bay of Alpnach on the lake, where, near Burgen, a body of men from Lucern were at the same time endeavouring to effect a landing. The Underwalders of the upper district sent a speedy messenger to Stantz, to demand assistance against Strasberg, but he was met by another runner, who came from thence to summon the men of Sarnen to assist in repelling the attack near Burgen. Each moiety of the people, thus powerfully assailed, found means, however, to retard the progress of the invaders, while an express hastened to Schwitz to recall their three hundred countrymen, who had joined the main body of the confederates. This messenger, on landing at Brunnen, saw the conquerors of Morgarten, who, soon after the hour of nine, having no longer any enemy to contend with, had returned to Schwitz, where they had been received with joyful acclamations, and were now feasting with convivial gaiety. The Underwalders having heard the summons, immediately embarked. The Schwitzers and Urners, declared their purpose

[8] John of Winterthur.

of joining in the expedition; but the three hundred, emulous perhaps to achieve unaided, the deliverance of their country, declined the offer, alledging that their magistrates had not summoned the whole Confederacy. One hundred Schwitzers however, persisted, and were together with the Underwalders soon transported across the lake. They landed at Buchs, and immediately fell upon the men from Lucern, who, yielding to the impetuosity of the attack, fled with such precipitation, that many of them perished in the lake in attempting to gain their barks. The victorious troop now advanced to Kerns, where it was joined by those who had hitherto resisted Strasberg; and hence, jointly exulting in the previous successes of the day they rushed down towards Alpnach, where the enemy had taken an advantageous post. Experienced generals have asserted that in a defeat, the eyes and ears are usually the first that yield; and this remark received an ample confirmation in the present instance: for no sooner had Strasberg perceived the triumphant banner which he believed at Schwitz, and heard the shouts of the approaching bands, than, doubting no longer the fate of Leopold's army, and convinced of the only option that was now left him, he ordered an immediate retreat; to favour which, he, with a few select warriors, stood to receive the first onset of the assailants: a wound, however, in the left hand soon disabled him; and his people, being all routed, fled precipitately over the mountains to Lucern. The Swiss, in this, as well as in most of their wars, were generally the weakest in number; but the numbers of armies were then, as they are at present, usually either exaggerated or diminished, according to the occasional inducements of fear or

CHAP. VII.

adulation, deception, or extenuation; whence Sallust, a writer whom few have equalled as an historian, thought proper to omit these numbers in his greater history of Rome. Neither ought any inference to be derived from the report of the slain in battle; since the magnitude of a victory ought much rather to be estimated by the importance of its consequences, than by the carnage it may have occasioned.

This memorable day was not yet closed, when three hundred Schwitzers, and four hundred men of Uri, landed in Underwalden; and, hearing of the repeated successes of their confederates, joined them in mutual congratulations. The fifty exiles were restored to their country and privileges. The Swiss now agreed to consecrate this aniversary as a solemn festival; 'the God of Hosts having on this day visited his 'people, and given them the victory over their enemies.' They, even to our days, celebrated annual masses for the souls of those who fell in the glorious conflict: still, on these occasions, they recited to the people, the names and heroic deeds of those generous champions of their liberties; and still did the three cantons commemorate those splendid times, by holding their public assemblies in the field Rutli: the Underwalders of the upper district still met on the hill on which Landenberg formerly resided; and with the same laudable spirit of patriotic emulation have their youths, on a late day of great festivity,[9] amidst a concourse of their applauding parents and countrymen, rehearsed, on the very spots, in

[9] In or since the year 1776. So incurious are the inhabitants of these remote parts, that even the more important events of one valley, are often unnoticed in the adjoining ones.

CHAP. VII.

the same habits, and with the peculiar usages of the times in which they were achieved, all the eminent deeds to which they owed their darling independence.

The Confederacy renewed.

After these signal successes, the news of which King Lewis received with joy and admiration, the three cantons held a meeting, and once more renewed and confirmed their ancient and venerable[10] league, by virtue of which all the confederates, however divided by mountains, lakes, or torrents were ever after to be considered as one people, firmly united and at all times ready for the defence of their well-earned liberty. They again stipulated; 'that all vassals should 'continue faithful to their lords, unless the lords should 'wrongfully molest the cantons, in which case defection 'would become a duty: that none of the confederates, either 'as individuals, or as subordinate communities, should put 'themselves under the protection of, or accede to any treaty 'or negociation with foreign princes or states, without the 'previous consent of the whole body: that no one banished 'for murder be restored without a like general assent: and 'lastly, that they, and their posterity for ever, should be firmly 'bound by the oath now taken, to aid and protect each other 'at all times, in all places and emergencies, with their lives 'and property, against all who should either actually violate 'or merely attempt to injure any of the confederates, either 'singly or collectively.'[11]

[10] Henceforth must the solemn appellation *perpetual*, ever annexed to the confederacy, be omitted: of the epithet *venerable*, here substituted, no new-fangled doctrine will surely ever deprive this union.

[11] All that was besides contained in the league of 1291 (p. 136), was here, moreover, confirmed.

CHAP. VII.

This groundwork of the Helvetic union, founded on justice, the greatest pride of nations, and peace, the first of earthly blessings, was distinguished from all other political institutions by its extreme simplicity and inoffensive tendency. Pure, holy, and permanent, as the ties which united the patriarchs in the golden age of the earlier generations, this league has continued through nearly five centuries, among a variety of obstructive efforts, and with few occasional amendments, the great outline of all modern free constitutions. Its superior excellence was solemnly acknowledged in this century,[12] when the three cantons once more, with grateful hearts, but, alas! for the last time, confirmed it on the same consecrated spot, where it had been first sanctioned. Such was its distinctive superiority, that all subsequent compacts among the Helvetic states, were found less adequate, in proportion as they deviated from this approved standard: perfect harmony was the basis of this union; and it was this unanimity, which in many perilous instances has enabled the thirteen cantons and their allies, to co-operate with as much celerity and vigour, as if their joint decrees had been the resolves of a single individual. This foederal union, the source of peace and justice (and it is the maintenance of peace and justice, and not any particular form of government, that constitutes true freedom) this close covenant has for ages been the sole tie that has cemented all the Helvetic and Rhætian tribes into one invulnerable body; it was their law, their monarch; even as in the times of the Judges, Israel had no king, but the great God who had delivered them from bondage.[13]

[12] Anno 1713.

[13] Accordingly, as soon as this tie was dissolved, the fabric crumbled.

CHAP. VII.

Termination of the war.

The wars in those days seldom called forth, as they do at present, the whole collective force of a nation: they were rather partial feuds, carried on by neighbouring lords, or communities in opposite interests; and terminated by a few encounters, in the success of which, mere chance and bodily strength had often a greater share than skilful conduct. The future tranquillity of the Swiss therefore depended more on the state of the contiguous provinces, than on the will of a vindictive despot. That state happened at this period to favour their interests; for though the Gaster, to which Albert had united the lower district of Glaris, harboured an habitual enmity against the Swiss, who had probably at times, in the cause of some allies, infested their frontiers; and though Duke Leopold had greatly added to his authority in Glaris, by the acquisition of all the higher offices, and even of the stewardship, till then held by the house of Tschudy; yet the Swiss had nothing to fear from the former, whom the habits of traffic had estranged from arms; and the latter (the men of Glaris) were, from a similitude of customs, situation and character, always better inclined to their neighbours in the Alps, than to the house of Austria. On the other hand, the duke's friend, Strasberg, lost so much of his influence in the Oberland, that he was at length reduced to the necessity of alienating even the hereditary seat from which he derived his name.

King Lewis now repeatedly confirmed the liberties of the cantons,[14] and appointed the Baron of Weissenburg Imperial Prefect over the valley of Hasli; and the town of Thun, having, moreover, of its own independent authority, concluded

[14] At a camp at Merinden, March 29, 1316; again at Como in 1327; and, as Emperor, at Pavia in 1328.

CHAP. VII.

a treaty with Underwalden, the duke perceived that any attempt from the side of Interlachen, where his bailiffs were in force, would be impracticable: finding also that the Swiss were as regardless of conquest as they were unwilling to bear a yoke, he agreed to a truce for one year, during which, all causes of complaint were to lay dormant. A free intercourse with all the neighbouring countries was hereupon restored; but the intrenchments at the frontiers were not neglected; for even now no confederate could with safety venture beyond the field of Morgarten. The monks of Einsidlen also retained their animosity against the cantons, which they frequently vented by letters of excommunication: but the duke declared, that any rough treatment the bearers of those letters might meet with in the Swiss valleys, should not be construed into a breach of the truce. This truce being expired, it was renewed for six years longer.

The Swiss assist King Lewis. 1323.

Meanwhile King Frederick having been made prisoner at the battle of Muhldorf, his brother Leopold, exasperated at the mischance, vowed vengeance against the prosperous competitor. King Lewis called upon the Swiss for their assistance; and they readily engaged 'to serve the empire with 'as much zeal as their forefathers had done before them, as 'long as the empire should protect them.' The people of Glaris refused the aid the duke claimed from them; and, remonstrating that he had infringed their privileges by appointing strangers instead of natives to their chief magistracy, they, without hesitation, entered into a triennial league with Schwitz. This war, however, was not of long continuance, the same asperity of temper which had prompted Leopold to the cruel vengeance he had taken for his father's death, having

CHAP. VII.

1326.

now, amidst the calamities that befel his house, gradually impaired his health, and at last put a period to his life. His next brother, Albert, renewed the truce with the Swiss; many of whom, soon after, accompanied King Lewis on his expedition to Rome.

Although surrounded on most sides by the dominions of Austria, and bordering on several valleys in Italy, which had adopted the Guelphian party, this people nevertheless, with the same firmness which had of late insured them their independence, strenuously espoused the cause of Lewis against the Pontiff. This drew upon them the papal excommunication; which being announced in the cantons, the people asked the priests, 'whether they would continue to read the service, 'and sing the litany as usual, or else submit to immediate 'exile?' The Pope, on being told that the priests had preferred the former option, acknowledged that, though contrary to the canons, they had undoubtedly made the wisest choice. The Swiss, accompanied by two hundred Zurichers, marched now under the banner of Uri, up the narrow dell leading to mount St. Gothard: they crossed the Devil's bridge, and the sequestered, but smiling vale of Urseren; and having passed by the adjacent sources of the Reuss and Ticino, they descended into Italy, where they met the inhabitants of the Liventine valley, and with them Azzo Visconti of Milan, who had come to their assistance. Urseren had been granted by an Emperor to the Abbot of Disentis; but its inhabitants claimed various ancient privileges, by which they were exempted from all participation in the wars of their neighbours, and authorized at all times to allow a free passage to every traveller, of any nation or party whatever. So necessary was

CHAP. VII.

this absolute security, that, without it, this people would soon have been incapacitated from prosecuting the arduous toils which alone can preserve the pass over this stupendous mountain.

First Expedition of the Swiss into Italy.

The Italian valleys bordering on Upper Rhætia were at this time subject to the rival cities of Como and Milan. After the great wars which preceded the downfal of the Roman empire, these districts (like Athens and Sparta after the Persian war), became the seats of various confederacies, distracted by continual factions, and the prey of incessant tumults. The Guelphs and Ghibelins, the senate and the people, the ancient nobility, and partial associations under bold and artful leaders, prevailed alternately, and kept the devoted country in constant strife and agitation. Among the principal leaders were the Torres and Viscontis at Milan, the Vitanis and Rusconis at Como, and many others, whose histories, were they related in the impressive language of the ancient writers, would fully convince that men existed at this period, no ways inferior to the most celebrated characters of Greece, in acuteness, valour, and political energy. Chiavenna belonged to Como; but the chiefs of Milan had wrested from this emulous city the possession of the Valteline: Bormio, near the source of the Adda, had been surrendered by Como to the see of Coire: the Rusconis and Viscontis prevailed alternately at Lugano, and in the straits of Bellinzona: the Liventine valley was dependent on the chapter of Milan; and its inhabitants, either from habitual rapacity, or still remembering some former unsuccessful contest with their neighbours in the mountains, molested the travellers, and detained all the goods that came within their reach. This it was that induced the imperial prefect in the

vale of Urseren, to call upon the Swiss for assistance; and determined Uri to summon the commercial city of Zuric to cooperate in restoring the security of the pass. They met with no resistance either at Airolo, at Quinto, the old tower of the Lombard kings, or at Faido, the principal township in the valley: but no sooner was the banner seen at Giornico, than the Lord Franchino Rusconi hastened from Como, and impeded their further progress. All Italy was at this time struck with a panic, at the sudden and unaccountable invasion of John King of Bohemia; and this soon facilitated an accommodation. John Baron of Attinghausen, Landamman of Uri concluded a treaty at Como, in which the Rusconis guaranteed the security of the pass.

The Underwalders march in favour of Hasli.

The whole of the Oberland had, during the late commotions, been distracted by the animosities of two rival parties. The revived house of Kyburg still retained the greatest power in this province, on the lake of Thun, and in the Uchtland, and Upper Argau. This rich inheritance had now devolved to two minors, Hartman and Everard, the latter of whom being destined for the church, was sent to prosecute his studies at Bologna; but his allowance being irregularly remitted, he returned precipitately, and laid claim to his patrimony. His mother, the Countess Elizabeth, Count Hartman his brother, and the other relations of the house, who all entertained a mean opinion of Everard's understanding; treated his pretensions with derision, and his person with marked neglect. Hartman caused him to be seized one night, as they lay in bed together, and to be conveyed to a neighbouring castle. The captive Everard was now compelled to yield to an award of Duke Leopold of Austria, in which his interest had been

CHAP. VII.

notoriously sacrificed. At a numerous assembly of the nobles at Thun to celebrate this, as it was called, most happy reconciliation between the two brethren, Hartman uttered such taunting sarcasms against his injured brother, that many of the vassals, who still loved, and could not but pity the unhappy youth, drew their swords; whereupon a fray ensued, in which Hartman was killed. Count Everard immediately ordered the gates of the castle to be shut; and conscious of his danger, sent an offer to Berne, that, if they would admit him a co-burgher of their city, he would make over to them certain of his estates,[15] and the paramount sovereignty over Thun. The Berners accepted the offer, marched to Thun, and received the oath of allegiance of the inhabitants; but they were disappointed in their hopes that Everard would die without issue, and that they might ultimately succeed to a still greater share of his dominions: he married, and had four sons, who all survived him. He reigned upwards of forty years, during which he displayed much wisdom and fortitude.

The disasters that befel King Frederick, and the excommunication of his rival Lewis, having filled the minds of the people with doubts and apprehensions, the principal cities of Upper Germany[16] joined with the Swiss cantons in a general covenant for the preservation of public tranquillity. Berne and Count Everard became parties in the league; but although they still ostensibly displayed a mutual kindness, the harmony between them was, however, by no means cordial, the latter

[15] Heimberg, Sigriswyl, Griessisberg.

[16] Mentz, Worms, Spire, Strasburg, Constance, Lindau, together with the Helvetic cities of *Basle, Zuric, Berne* and *Soleure,* anno 1327. On the renewal of this league in 1329, the Swiss and Count Everard took no part in it.

bearing with impatience, the superiority the city chose to arrogate. After the death of Duke Leopold, who was related to this line of the house of Kyburg, Count Everard scrupled no longer to enter into a close alliance with the Swiss cantons. He insured them a free passage over mount Brunig; and they, on the other hand, guaranteed all his territories, and admitted him to a far greater share in their domestic concerns, than becomes a free people ever to allow to a sovereign prince. They authorized him, in case of any disputes among themselves, to assist in reducing those who might be refractory, to the decision of the majority. The count, not long after, encamped with the Berners before the castle of the Baron of Diessenberg, who had annoyed the Baron Senn of Musingen, their co-burgher; but not thinking that due deference was paid to his rank by the free-minded citizens, he abruptly quitted the camp, gave up all his connections with the Berners, repaired to Friburg, and became a burgher of that city. Other lords, especially those of Weissenburg and Gestelen, and the Count of Gruyeres, three of the most powerful nobles in the Oberland, bore also impatiently the restraint they experienced from the rising power of Berne; and like Everard of Kyburg, became inimical to the city.

These animosities soon broke out into actual hostilities between Berne and John of Weissenburg, Prefect of Hasli. The latter, in order to provide the means of carrying on the war with vigour, had, in the name of the empire, laid an additional tax on the people of that valley, against which they, being unwilling to bear the oppressive innovation, appealed to their neighbours of Underwalden. A plan was immediately concerted between them to compel redress: a day was appointed

CHAP. VII.

on which the men of Hasli were to advance along the western borders of the lake of Brienz, whilst the Underwalders promised to descend into the valley of Habcheren, and meet them at Interlachen; from whence they proposed jointly to attack the neighbouring castle of Uspunen, the chief residence of Weissenburg. The men from Hasli, full of ardour and impatience, arrived near the castle before the appointed hour, and not wholly unexpected; and were easily defeated by the baron: eighteen of them were killed, fifty taken and confined in the castle, and the remainder returned greatly dismayed into their valley. The Underwalders approached soon after; but seeing the fatal issue of the projected expedition, and unwilling to engage in open war with the Imperial Prefect, they quietly returned to their mountains. After the fifty prisoners had been detained upwards of two years at Uspunen, the Landamman of Hasli sent to the burghers of Berne, to conjure them, in the name of their well known magnanimity, and the friendship that had long subsisted between the two people, to aid his country in its present emergency; promising that, if effectually relieved, his people would admit none but the city of Berne to the office of prefect over their valley. Berne soon found a plausible pretence, and marched against Uspunen: the castle was surrendered; the prisoners released; and the count accepted for the prefecture of Hasli, the sum he had paid for it to the Emperor. It was stipulated that the criminal jurisdiction in this valley should still be administered in the name of the Emperor, and that the people should continue to pay him an annual retribution; but that they should, in all hostile attacks, espouse the cause of Berne. The baron having felt the impression of the arms of Berne, willingly

became a co-burgher; and henceforth, with all his castles and dependencies, participated in the fortunes of that city. To conquer by generosity, appeared to its rulers the sure road to aggrandizement.

Lucern admitted into the Confederacy.

Two years after the expedition into Italy, and before the year of the unsuccessful attempt of the Underwalders in favour of the people of Hasli had expired, were the three Swiss cantons induced to admit a fourth into their confederacy. The descendants of King Rudolph had now so totally forsaken the maxims by which that monarch had prospered, that they seemed, on all occasions, inclined to pursue a conduct diametrically opposite to that which usually endears a sovereign to his people. The men of Lucern and Glaris, waving their unquestionable privilege of never marching beyond the confines of their countries, had engaged in the late wars of the dukes of Austria against the King of the Germans: they signalized their zeal and prowess on repeated occasions; and yet, at the conclusion of a peace, the dukes neglected to pay them their stipulated subsidies. These wars, which no ways concerned them, had been particularly detrimental to the merchants, manufacturers, and all other descriptions of the people of Lucern: their commerce, particularly into Italy, was impeded; they were compelled to extend and raise their walls, and fortify their towers; and the flower of their youth were repeatedly sacrificed to the ambitious designs of the rapacious dukes. The deputies they occasionally sent to request the confirmation of their charters, or to demand redress, being for the most part nobles, or Austrian vassals, were more solicitous to ingratiate themselves with the sovereigns, than to benefit the city. These, and various other depressing

CHAP. VII.

circumstances, had now greatly indisposed the minds of the burghers, when a mandate came from court, reproving them for having reduced the coin of Zoffingen[17] to its standard value; commanding them to restore it to its former rate; and, as the exigencies of the times required considerable supplies, ordering an increase of their annual contribution.

The burghers, unaccustomed to such peremptory edicts, met in various parts of the city, and lamented the downfal of their ancient and once prosperous state. After much deliberation, they at length agreed to apply to the Swiss cantons for a cessation of arms. They deemed it unnecessary to apply to the dukes for their concurrence in this measure, being well apprized, that among the rights the ancestors of these despots had purchased from the abbey of Murbach, there were none which authorized its advocates to compel the people of Lucern to ruinous wars, and to extort from them exorbitant contributions. The Swiss, impressed with the equity of these motives, readily agreed to a twenty years armistice. This bold step on the part of the burghers alarmed the nobles, the constant opposers of all independence except their own, and induced them to collect forces from the Argau; and to endeavour, under pretence of certain feudal services, to introduce them into the city, and there to seize on the most obnoxious among the burghers. The Baron of Ramshwag, Castellain of Rotenburg,[18] assembled three hundred horsemen, and led them in the night under the walls of the city: but the burghers, aware of the resentment they had provoked by their late daring act, guarded their gates, and when the troop

[17] A town in the Argau, dependant on the house of Hapsburg.

[18] A town and castle not above five miles from Lucern.

presented itself, suffered only the baron, and a few of his attendants, to enter. Ramshwag seeing that no means were left him but those of remonstrance, and that the majority in favour of the late truce amounted nearly to unanimity, withdrew, and led out with him all those who either thought themselves unsafe within the city, or who wished to display their unbounded zeal for the Austrian interest. The citizens soon after held a general assembly, and resolved, in order to secure to themselves and their posterity the rights they had never forfeited, to demand admission into the league of the Swiss confederates: these held a meeting; and, in the twenty fifth year after they had themselves boldly asserted their independence, they, without fear or hesitation, admitted Lucern into their union as a fourth canton. 1332.

Neither of the contracting parties lost sight, in this important transaction, of the most rigid dictates of justice: they confirmed all the privileges, jurisdictions, and feudal prerogatives of the house of Austria. The municipal government of Lucern continued, as before, to be administered by a council consisting solely of burghers, many of whom were nobles. It was also agreed, 'that no one, as a confederate, be ever 'favoured, or any ways exonerated in judicial prosecutions: 'that every individual be, without exception, amenable to the 'magistrate of his district: that if, in either of the cantons, a 'man should be found guilty of a capital crime, official notice 'thereof be given to the other cantons; and that, should the 'convict escape, none of the confederates should afford him 'either shelter or sustenance: that if (human nature being 'frail) a misunderstanding should ever arise between the 'three Swiss cantons, Lucern should, if it could not prevail

CHAP. VII.

'by friendly expostulation, side with the two that shall be 'unanimous: that should any foreign or domestic foe ever 'disturb the peace of either of the four cantons, so as to in- 'duce its chief magistrate to declare, that the intervention of 'the other cantons was become necessary, all the confederates 'should jointly assist in procuring redress; each exerting his 'utmost efforts, hazarding his life and property, and defraying 'all the expences he may incur in defending the common 'cause: and that, should any confederate violate this sacred 'union, he shall be ever after considered as an outcast and 'a traitor.'

A war in consequence thereof. 1333.

The duke's vassals, in the vicinity of Lucern, having publicly avowed their enmity against the whole body of confederates, compelled, by repeated depredations, the people of Lucern to confine themselves wholly within their walls, and even to forego the profits of their lands in the adjacent country. Irritated by these losses and vexations, the burghers resolved to retaliate by invading the Argau. The Castellian of Rotenburg, who was soon apprized of this intent (for civil wars have ever abounded in traitors) collected a force, and watched their motions: he observed their disorderly march along the Reuss, and over the heights towards the lake of Zug; and suddenly falling upon them, slew all those who had strayed from the banner: but two hundred Schwitzers, who came down the lake to share in the intended predatory war, having reached them at this instant, they jointly took ample vengeance on the enemy, prosecuted the expedition, and obtained the redress they had resolved to compel.

A conspiracy at Lucern.

The nobles hereupon formed a conspiracy for destroying in one night all the friends of the confederacy, and surrendering

the city to the officers of the dukes. The conspirators met in the night of the festival of St. Peter and Paul,[19] in a remote arcade near the lake. A boy accidentally overheard all that passed at this assembly: he was discovered; but these blood-thirsty men, who were preparing to murder thousands, could not prevail upon themselves to sacrifice this youth to their own safety; they even omitted to secure him, and contented themselves with taking his oath that he would not speak to any of their adversaries. No sooner had he escaped from their hands, than he stole privately into the club-room of the butchers, where some of them were met at play; and, addressing himself to the stove, related where, and for what purpose a number of armed men were at that instant assembled, and assigned the reason why he did not divulge the matter to any living person. The butchers hastened to apprize the magistrates of the conspiracy, and the whole city was instantly in arms. The leaders seeing their plan defeated, endeavoured to conceal themselves; but several of them were recognized by their weapons, or by the badge of a red sleeve, by which they had agreed to distinguish themselves. They were conducted to prison; and messengers were immediately dispatched across the lake, who brought three hundred confederates from the valleys, with whose aid the tranquillity of the city was effectually restored. The administration of public affairs, which till then had chiefly centered in a few patrician families, was now transferred to a grand council of three hundred respectable burghers: but the power of levying taxes, of ordering public purchases or alienations, of making war or peace, and of forming alliances, was vested in the community at large.

[19] June 29.

CHAP. VII.

By the wise and humane interposition of the three confederate cantons, not one of the conspirators was put to death, nor even legally deprived of his franchise, or excluded from the public offices of the city. Gratitude as well as fear might have softened their disappointed rage, were not wealth more frequently combined with insatiable ambition than with true generosity.

Progress towards Italy.

A war with Rhætia, whose nobles, instigated no doubt by the friends of Austria, had committed frequent depredations on the frontiers of the cantons, led the banner of Uri into the vale of Urseren, where it met the men of Disentis; who, in defiance of the avowed privileges of the people of that valley not to interfere in neighbouring contests, had been sent to shut the pass against the Swiss. The forces of the abbot were defeated, and their leader was taken prisoner: whereupon Franchino Rusconi, who had recently usurped the supremacy at Como, granted to the people of Urseren, and of the four cantons, an absolute exemption from all tolls, both in his city, and throughout the pass of Bellinzona.

A general pacification.

The Dukes Albert and Otho, either exhausted by their Bohemian and other wars, or favourably inclined by the moderation displayed by the people of Lucern on their late reception into the Swiss confederacy, not only abstained from all hostile attempts in these parts, but even consented to a general pacification, during which, it was agreed that all matters relating to the cantons should be amicably adjusted.

1334. A charge was meanwhile brought before the Emperor, relating to the admission of Lucern into the confederacy, in which the Swiss were taxed with having abetted rebellious subjects against their lawful sovereign. The cause was referred to

eight arbitrators, selected from the cities of Zuric, Berne and Basle, who having acknowledged the harmless tendency of the confederacy, agreed upon an impartial award, which was ratified by the Emperor; and peace was at length restored to the four forest cantons, and all the countries with which they held any intercourse.

An instance of generosity.

Instances of magnanimity occur so seldom in the annals of mankind, that every historian, not wholly devoid of generous feelings, must rejoice whenever his subject leads him to some striking example of true benevolence, and disinterested virtue. The burghers of Soleure had, during the warm contests for the imperial throne, espoused the cause of Lewis of Bavaria, and thereby incurred the indignation of the house of Austria. Duke Leopold advanced with a powerful army, besieged their (1318.) town, and threatened its extirpation. A violent fall of rain brought on a sudden inundation, which, besides destroying all the stores, engines, and implements of the besiegers, endangered a wooden bridge they had constructed for the sake of a communication between different parts of the camp: the duke had posted a great number of men upon it; who, in order to steady it against the impetuosity of the torrent, had loaded it with great heaps of stones. This precaution, however, proved ineffectual; the bridge gave way, and the men were perishing in the stream. The burghers at this disastrous moment forgot their enmity, took to their boats, and at the imminent danger of their own lives, hastened to the relief of their perishing antagonists: they saved the greatest number of them, fed them, cheered them, and sent them back to the camp. The duke hereupon, attended by thirty knights, came to the walls, and desired to be admitted on friendly terms.

CHAP. VII.

On being honourably received, he granted a banner to the burghers as a token of perfect reconciliation; and declared, that their generosity had completely vanquished his resentment. None of his wars ever terminated so much to his advantage.

State of the country. (Cultivation.)

The further the people of Helvetia extended their commerce into Italy, Germany, France and Flanders, the more did they exert themselves in the improvement both of their lands and manufactures; and the convents in particular continued to extend cultivation to the remotest parts of the most barren Alps. Many religious foundations of great extent,[20] took their rise from the fervent and undissembled devotion of these times. The wealthy barons knew of no better way to insure eternal felicity, and to perpetuate their memory, than by founding masses, and ordering the commemoration of the days of their demise. The monks on these days held a feast, and fed the poor of the vicinity: many of them cultivated with their own hands, spots which, without their labours, would long have continued barren: they likewise kept schools; and (though often restrained by their secular patrons) ever and cheerfully practised the duties of hospitality.

(Commerce.)

The hides and wool of the flocks were manufactured at Berne and Friburg; insomuch, that at the time when England and Venice exported their raw wool, these cities had a considerable trade in cloths, which a Fleming had taught them to dye. The rest of their commerce consisted chiefly in iron, horses, cattle and falcons, which they exchanged for spices, and the fruits of the southern climates: but except these few

[20] Val-Sainte above Corbieres, La Part-Dieu near Gruyeres; both Carthusian convents of considerable extent: and several others.

articles, and some silks from Zuric, linens from St. Gallen, and the trifling exports of some other towns, this country had by no means attained the great line of commerce, for which, from its situation, and the coincident circumstances of Europe, it seems to have been peculiarly adapted.

(Religion.)

Arnold of Brescia had, two centuries before this era, already weakened the ascendency of the clergy in the greatest part of Helvetia; and their influence gained no ground by the severity they practised in the Uchtland, where they caused some pious sceptics to be burnt alive. The people in general were countenanced in their disregard of the secular clergy, by the Franciscan friars; who, under the guidance of learned leaders, were not afraid to arraign even the head of the church. This mendicant society had acquired such favour among all ranks of men, as excited the jealousy of every other order. The influence of the higher clergy, meanwhile, diminished sensibly: the ecclesiastical government of St. Gallen had, in several contested elections, become feeble, odious and oppressive; and its influence was, in general, much circumscribed by the powerful lords and burghers. A great part of christendom learnt, with little surprize and not the least resentment, that a dignified prelate, sent from Rome to publish the papal excommunication against the Emperor Lewis, had been led (1330.) by the burghers of Basle to the highest part of their city near the minster, and thence cast headlong into the Rhine, where he actually perished: nor was it thought an enormous impiety in the burghers of Zuric, who, on the same occasion of the excommunication of the Emperor, when the clergy were prohibited to celebrate any religious functions or ceremonies, were so little dismayed at this inhibition, that they lived

CHAP. VII.

eighteen years without any service, except what was performed by the Franciscans.

(In general.)

If we consider attentively the arduous struggles of the forest cantons for the maintenance of their own independence, and the privileges of their neighbours; the martial spirit of the city of Berne;[21] the successful energy of Zuric; and, on the other hand, the strenuous efforts of Austria and Savoy[22] for their own aggrandizement: if we contemplate the progressive state of industry, the frequent civil commotions, the rising dissensions in the church, and the distracted state of the empire, we shall not be wholly unprepared for the revolution that soon after took place at Zuric; the imminent, but in the end, beneficial danger of Berne; and the spirited participation of the forest cantons, in the great events of those important times.

[21] The Berners, in a quarrel they had with the Count of Kyburg and the city of Friburg, took and demolished the castle in the strong pass of Gumminen, Landshut, and other places, and greatly signalized their prowess on various other occasions.

[22] The factions in the restless and ungovernable city of Geneva, facilitated to the Count of Savoy the acquisition of sundry castles and domains, near and within its walls: this count continued also to extend his power both in the Valais, and the Pays de Vaud.

## CHAP. VIII.

### *Revolution at Zuric. War of Laupen.*

CHAP. VIII.

1. Change in the Constitution of Zuric.

It is a fact, perhaps no less inexplicable than true, that among the many free constitutions which owed their origin to the virtue and wisdom of single legislators, few have subsisted for any length of time; while those which have continued for ages, have, in general, been brought to their state of maturity, not by any premeditated plan, nor by the predominant abilities or ambition of individuals, but by the slow progress of gradual emendations, adapted to, and arising out of the occasional emergencies of the times.[1] Such is to this day the British polity; which, in its progressive improvements, has for centuries been the admiration and envy of less fortunate nations: and such was the Helvetic Confederacy; which, but for the perfidy and supineness of some of its members, and the exorbitant preponderancy of a rapacious conqueror, would, with a few seasonable amendments, still subsist a monument of the wisdom and moderation of a brave and

[1] Since, as has often been experienced, one man of an ardent mind and sinister views, may in an instant subvert a government raised by the sober wisdom and progressive efforts of many generations, how cautious ought men to be in listening to specious plans of ostensible reforms, the real tendency of which is seldom known to those who are principally instrumental in the convulsion?

CHAP. VIII.

honest people. Such a progressive change in its form of government did Zuric experience at this period; in the effecting of which, the passive acquiescence of the people had a far greater share, than the daring audacity of an artful and aspiring demagogue.

State of Zuric previous to it.

The supreme power at Zuric was shared between the Emperor and the people: the former, by his prefect, administered criminal justice; and the people were represented by a council, in whom was vested the legislative power: the avoyer, chosen by the lady abbess, decided all civil causes; and the bailiffs of the two abbeys, held courts for all cases that related to their wide domains. The burghers were assembled by the toll of a great bell, in a public walk,[2] and there deliberated on the great concerns of the city: they decreed, in case of a contested election to the empire, which king should be acknowledged by the city: they determined whether an advocate should be appointed; whether war should be declared; whether new clauses should be added to their original compact:[3] and here they also regulated the weights, measures, and prices of provisions. They were convened once in four months for the purpose of electing the council,[4] which consisted of twelve nobles and four and twenty burghers, who were divided into three rotas, each of which administered the affairs of government during four months. In most cases they exerted the right of revising the sentences of the avoyer, and even of the imperial prefect. An intimate union was the main

[2] A mall planted with lime trees, called the *Lindenhoff*, at the highest part of the city.

[3] This code was called the *Richtebrieve*.

[4] The text here followed is not explicit. This meeting was probably for the purpose of filling up vacancies in the council; else why the three rotas?

object of this constitution; and hence, though some guilds were tolerated to promote the progress of certain trades, yet, aware of the pernicious effects of partial interests and limited connections, they ordained, that whoever should attempt to establish an exclusive society or corporation, should be fined ten marks of silver, and have his house razed to the ground. Whenever two burghers persisted in a contest, they were both sent out of the city. A great part of the city having been burnt by the heedlessness of a baker,[s] an order was issued, that the ovens should never have wooden doors; and a fire police was established, which annually inspected whether the houses were duly covered with tiles or sod. Many began now to build with stone.

Public contributions were then already levied; but they were moderate, and the greatest economy prevailed in the expenditure. The nobles and priests were exempted from certain dues to the empire; but towards the exigencies of the state, and the excise imposed on various articles of consumption, all paid alike. An assassin was taken by force out of the house even of a priest; but no one, not even a senator, would venture into the house of a burgher, until the latter had refused to surrender the culprit. In all personal contests the magistrates, in order to prevent the dangerous effects of private revenge, and of sudden gusts of passion, interposed without delay. The laws concerning property were fully explicit, and most of them positive. Markets were appointed; and severe laws were enacted against forestallers, and adulterators of wine or other provisions. All houses of public resort were ordered to be shut at the second evening bell: houses of prostitution

[s] In 1338.

CHAP. VIII.

were altogether suppressed.[6] Men loved to meet in convivial parties, to play at drafts and dice; but noisy revels were obviated by various regulations: the number of guests, and even musicians,[7] at weddings, was, for this reason, limited by law. The great concourse of strangers, the leisure derived from opulence, and the habits of social intercourse, soon expanded the minds, and induced a taste for works of fancy, and the elegant arts. The name of the senator Roger Manesse, a patron of literature, has survived those of all his colleagues; and both his town-house and country seat, were the resort of all whom genius and erudition had raised above the vulgar: he left behind him a selection of the songs of more than one hundred and forty minnesingers;[8] who, chiefly in his time, had enlivened the courts of many princes, cheered the solitary castles and hamlets among the Alps, and often soothed the turbulent passions of haughty barons, no less ferocious in their anger, than the tigers once tamed by the lyre of Orpheus. Refinement was spreading through all ranks, and the sciences were making rapid progress, when inordinate passions, and contentious arrogance, once more prevailed; and the Muses, who had strayed to these mountains, far higher and more romantic than their once favoured Parnassus, again fled to heaven, and left the world to dark polemics, scholastic jargon, and the perversion of reason.

Change of the Constitution. 1335.

Such were the spirit of the constitution, and the manners at Zuric, one hundred and eighteen years after the death of the fifth Berthold of Zæringen, the last who had exerted a sovereign sway over the city; when its rulers, as if their

[6] Prostitutes, before this, were enjoined to wear red caps. [7] Two fiddlers, two hautboys, and two singers. [8] Lately published by Bodmer.

CHAP. VIII.

assemblies had now become decrepid through age, yielded to a convulsion, which, in the end, proved fatal to their authority. Those who were least in power complained loudly, 'that the public cause was sacrificed to private interest; that 'the lives, honour and property of the burghers, were no 'longer protected; that the public funds were profusely 'lavished; and that no accounts were rendered of the ex-'penditure: that the proud senators, who ruled the state, 'scarce condescended to listen to the people; and that their 'manners were at all times sullen and overbearing: that their 'decrees were arbitrary; and that they had pronounced un-'just sentences respecting some imperial fiefs, to the great 'detriment of several illustrious families.'[9] The chief among these agitators was Rudolph Brun, a man of subtle parts, in the prime of life, rich, and himself a senator. 'Our free city,' he exclaimed, 'is sinking into intolerable servitude: I, who 'am wedded to the cause of my oppressed fellow citizens, am 'for that reason held in abhorrence by the senators. You 'citizens, who, by your numbers, your ample fortunes, and 'intrepid spirit, have the whole city in your power; you, who 'have nothing to fear, may, with moderate efforts, save your 'country, and preserve your laws: if you hold together, you 'will govern the state far better than your present haughty 'rulers: and if you are firmly resolved to assert the freedom 'which is your birthright, I am ready to stand by you: and

[9] These charges do not appear to have been founded; but similar ones may be made in the best governed states; and, however false, will find abundance of believers. The art practised on this occasion, of extending the grievances to the imperial dependencies, is manifest; since it could not fail to gain to the party, at least the connivance, if not the concurrence, of the empire.

CHAP. VIII.

'to sacrifice my life and fortune in your cause.'[10] Many irritated, because some senator might at times not have paid them due deference; some aggrieved by a particular tax, which they hence thought superfluous and oppressive; numbers who, having been cast in law suits, arraigned the justice of the magistrate; all who had nothing to expect from the old, but looked for great advantages from a new administration; not few from the mere ties of friendship or love of novelty; and every profligate and audacious miscreant, who, because a government controls his pernicious inclinations, is ever studious to effect its downfall; all these sided with Brun: and though their numbers were formidable, yet their projects eluded the vigilance of the senate. Secrecy on these occasions adds greatly to the consciousness of self importance.

On the first day of May, when the term of the first rota of the year was expired, the burghers met in more than usual numbers, and the next rota presented itself for their confirmation. One of the people hereupon came forward, and demanded that the public accounts for this and some preceding years be laid before a meeting of the burghers; and some of the senators of the second rota, friends of Brun, stood up and declared their approbation of the demand. Those of the former rota, struck with astonishment, could urge nothing in their own behalf, but that dangerous innovations were meditating; and called the rest of the senate to their assistance. Brun saw their weakness; and, as becomes every popular leader at the beginning of an insurrection, made a great

[10] This speech is in many respects so similar to one delivered on the 10th of Sept. 1797, at a club in London, that it is necessary to declare that the above is a faithful version of Muller's German text, printed in 1786.

display of candour and moderation. The senate was allowed to withdraw, and to deliberate at leisure on the request of the community. Few magistrates, who spend their days in courts or council chambers, acquire a sufficient knowledge of the people they govern: the experience upon which they pride themselves, relates chiefly to the formalities of office. The senators of Zuric looked upon this attempt as a momentary gust, which would soon subside of its own accord; and, being incapable of strong decisive measures, resolved to temporize.

Brun observed their feeble conduct during six weeks, and then caused it to be insinuated to the people that the senate mocked them. Accordingly on the next festival of St. John the Baptist, great crouds of burghers met at the lower bridge, near the town-house, where the great council was assembled, and with loud murmurs (Brun had so contrived it) called for redress. The senators were terrified; three of them declared for the people; and seventeen, with one-and-twenty of their friends, fled hastily out of the city: and thus, by a mere well-timed menace, was the whole magistracy at once dispersed. The people hereupon declared their intention to punish all those who had betrayed their trust; and in the meanwhile committed the administration of the city to those senators of the first rota who had remainded behind.

The whole community soon after this held an extraordinary meeting, at which all charges against the former administration having been discussed and loudly reprobated, it was decreed, 'that the public accounts be demanded of all the 'rotas; that the present form of government be reformed; 'and that meanwhile, Rudolph Brun should be invested with 'the supreme authority.' All the senators upon this fled, and

CHAP. VIII.

proved that they possessed no other dignity but that which they derived from their offices.

After three weeks, twenty-four of the exiles, prompted by their solicitude for their property, demanded safe conducts and a hearing. They appeared before the people on the first Sunday in August; but none seem to have known how to revive the veneration and love that had long been cherished for the constitution, or how to appeal to their past conduct for the rectitude of their intentions. Brun suffered them to retain their houses and gardens, the shackles that pinioned their very souls, but on condition that none of them should be alienated. They were fined and banished, and their children were declared incapable of holding offices in the city: they were also debarred from accepting, unless with the special leave of Brun, the burghership of any other town. Those who stayed away were deprived of their whole property, and banished for ever. Thus ended the old constitution of Zuric.

New form of Government.

Brun, now the supreme arbiter of the state, hereupon assembled the whole community; which, under his influence, sanctioned the following form of a new constitution. 'Rudolph 'Brun, knight, shall, during life, with the title of burgo- 'master, be the chief magistrate of the city; and shall be 'assisted by a council composed of knights, burghers and 'tradesmen: every burgher, when arrived at the age of twenty, 'or sooner if required by the burgomaster, shall swear to aid 'and support him and the council in all emergencies, save to 'the prejudice of the empire and the minsters: the burgo- 'master, on the other hand, shall swear to administer strict 'justice; and to afford, to the utmost of his power, vigorous 'protection to the city: all the burghers of the order of

'knights, and those who exercise no trade, shall form a mili-
'tary tribe under the name of the constables:[11] these shall
'bear the banner, and defend the chief magistrate and state:
'the burgomaster shall every half year name two nobles and
'four others, either nobles or plebeians, who shall choose, out
'of the tribe of constables, thirteen senators; of whom six
'shall be nobles, and seven plebeians: all the crafts shall be
'distributed into thirteen tribes, with each a banner: each of
'them shall consist of a tribune and associates: the former
'shall be chosen by a majority of the latter; and, by a similar
'election, shall be changed every six months: in all cases of
'equal numbers of suffrages in an election, the burgomaster
'shall have the casting vote: the thirteen tribunes shall swear
'allegiance to the burgomaster; and with the thirteen con-
'stables, shall constitute the great council: this council will
'thus be changed every six months.'[12] Reserving all the rights and prerogatives of the Roman empire and its sovereign, this constitution was formally accepted by the burghers on the Tuesday succeeding the festival of St. Mary Magdalen, and ratified with the seals and signatures of Elizabeth,[13] by the grace of God, Abbess of the monastery, and the reverend the provost,[14] and all the canons of the great minster of Zuric. The Emperor Lewis of Bavaria also, soothed by the solicitude that had been shewn for the rights of the empire, did not long hesitate to give his sanction to this new form of government.[15]

[11] Constabularia, *i. e.* centuria militaris. v. Ducange voce *Comes stabuli.*

[12] On the festivals of St. John the Baptist and St. John the Evangelist.

[13] Of Mazingen. [14] Kraft Count of Tockenburg.

[15] Anno 1337.

CHAP. VIII.

The tribes in this new constitution comprised all the burghers who exercised mechanical professions; but they were not restricted to any particular craft. The guilds, on the other hand, were thus restricted; and were instituted at a time when, in the infancy of trade, certain professions could not have subsisted without exclusive privileges. A guild might contain more than one craft; and as men in those times often exercised more than one art, the same man might belong to more guilds than one. Men only could belong to the tribes; but women were admitted into the guilds. The body of the burghers might thus be considered as a confederacy of fourteen communities, each having its peculiar regulations, a distinct jurisdiction, its own arms and treasury. The tribunes protected their respective bodies in the council; and with the concurrence of Brun, who favoured them, in order by their means to awe the constables, obtained the preponderancy. Those who maintain that general suffrage in a nation (the real or pretended idol of a party in our days) is truly a political evil, will think this constitution materially defective, inasmuch as it incessantly disturbed those who, by their education and employment, and, among the sober part, by their habits and inclinations, were formed for domestic cares. The blame lay with Brun, who proposed such a constitution to favour his private views; and with the constables, whose spiritless supineness fully entitled them to the insignificance to which they saw themselves soon after reduced.

John Count of Hapsburg Lauffenburg, Lord of Rapperswyl and of the marches near Schwitz, and co-burgher of Zuric, who could not behold this revolution with calm indifference, afforded protection to the exiles, most of whom had taken

refuge in his town of Rapperswyl; nor was their cause wholly abandoned by the numerous friends they had left behind them in the city. A report which was now spread of a real or pretended conspiracy to set the town on fire, became a plausible pretence for Brun to put several citizens to death, and afforded him means of yet further extending his predominant authority. No one was now suffered to remain in Zuric who did not swear implicit obedience to the burgomaster: whoever left the city without his leave forfeited his property, and was banished for ever. The most intimate friends and nearest relations were strictly enjoined not to meet in greater numbers than five; and even this small assemblage was soon after restricted to three. Whoever, after a certain hour in the evening, appeared in the streets without a light, was imprisoned: every burgher was enjoined, under heavy penalties, to appear at a certain signal in full armour; and all the horses in the city were ordered to be at Brun's disposal.

Brun's Policy.

An expedition he undertook against Rapperswyl, in which he gained no military fame, served, however, to rivet still closer the fetters he had forged for his fellow citizens. He now obtained a guard for his person: he dexterously availed himself of many errors committed by the exiles, for want of a concerted plan and an able leader, and obtained many advantages over them: he renewed the alliances that had formerly subsisted between his city and Basle, Constance and St. Gallen; and was true to several occasional engagements he entered into with Austria, the Knights of St. John of Jerusalem, and the Abbot of Pfæfers. He interfered effectually in the administration of Shaffhausen, where anarchy was at this time prevailing; and obtained a marked ascendency in all the

CHAP. VIII.

neighbouring towns and countries. Thus did a single individual without arms, with scarce any bloodshed, under the pretence of opposing a tyranical administration, at once overturn a long established government, and as suddenly rear an absolute power of his own, uncontrouled by laws, and secure against the inroads of popular commotions. He attached to his cause the constables, by the senatorial dignity they held under his auspices; the plebeian burghers by the importance of their tribes, which he modified; the tribunes by his casting vote at their elections; the old, the young, the rich, the poor, the contented and the dissatisfied, by the most solemn oaths. He knew well how to frustrate any attempt similar to his own. Nothing being so fickle as a multitude, he restrained their inconstancy by the reciprocal competition of the tribes: the rich and the nobles he excluded from the plebeian tribes; being aware that by liberality and condescension, they might acquire an ascendency, and become formidable tribunes. The tribunes, whom he was instrumental in promoting, were men who possessed that sort of policy which is learnt in the shops and clubs of tradesmen; the skill to manufacture goods out of the cheapest materials, and to sell them at the highest prices: in all other things they were subservient to his dictates. No one will probably assert that the art of government is easier than a mechanical profession; and yet many men, possessed of more presumption than candour, think that, although they could not make a hat or a shoe without previous practise and instruction, they are yet able, without the preparatory education that qualifies for rule, to co-operate in the administration of a state. That such innate aptitude had fallen to their share. Brun had the art of persuading the meanest burghers;

and by that means, rendered them inflexibly wedded to his opinions, and addicted to his will. Conscious that he could not with impunity relinquish the helm which he held by cunning and fascination, he neglected no means to strengthen, and firmly to establish his authority. Men like Timoleon, Solon and Lycurgus, knew how to sacrifice their personal power to immortal fame: but Brun was a man of a very different description.

2. War of Laupen.

The city of Berne had, not long before this period, purchased the mortgages of the imperial prefectures of Laupen and Hasli; but these and similar territorial acquisitions contributed much less to its advancement and security, than the increasing number of its powerful co-burghers, and above all, the fame for wisdom and firmness it had universally established. The nobles cultivated their lands, and practised martial exercises: the people were chiefly addicted to the four trades of bakers, butchers, smiths and tanners: their only article of commerce was cloth. The burghers revered in their rulers not only their strict justice and probity, but also their commanding spirit, which knew, on peculiar emergencies, how to wave the nice formalities of office, and consult merely the welfare, preservation, and honour of the state.[16] Having nothing to apprehend on the part of their citizens, the whole attention of these magistrates was directed towards the avowed hostile designs of the Austrian princes, and the great counts and barons. To guard against these, they frequently met in council. The young burghers were ever ready at their call: whenever the alarm bell tolled, and the banner was displayed,

[16] As writers of genius are allowed, 'to snatch a grace beyond the reach of art.'

CHAP. VIII.

a well appointed host instantly rushed through the gates, under the avoyer or the banneret. The men sung their former exploits: lofty plumes waved on the helmets of the young knights: conscious of freedom and of matchless vigour, exhilirated by the sober enjoyment of juvenile pleasures, all their energies were raised to the highest pitch of martial ardour: they felt equal to the hardiest enterprizes. Berne was then nearly as large as it is at present; but there were many gardens within its walls; it was as yet built of wood. Among its inhabitants were many noble families, and others equal to the most noble in worth, riches and consequence.[17] It was at all times honoured by the Emperor, whenever he was apprized of its spirit and generous purpose.[18] Firm in the midst of dangers, fearless, though surrounded by many inveterate foes, it vied, in virtue, sound maxims and successful arms, with ancient Rome, even in the first and more splendid period of its freedom.

1338. In the year one hundred and seventy four after the building of Berne, a project was formed by the great counts and barons of the Uchtland, Argau, and Upper Burgundy, to subvert that aspiring commonwealth; which, at this critical period, was without a protector, and abandoned by most of its allies. Had Berne perished at this time, the Helvetic Confederacy would probably in vain be sought for in the annals of the human species.

Ostensible causes of this war.

Some vassals of Count Rudolph of Nidau, of the house of Neuchattel, had, about this time, perhaps on account of a secret antipathy they entertained against the Erlachs, who

[17] The nobles and plebeians frequently intermarried. [18] Several Emperors were received at Berne, and entertained with great pomp and festivity.

had become burghers of Berne, seized a number of waggons which were conveying corn to certain neighbours protected by that city. This count had proved himself an eminent warrior; and to him did the towns of Nidau and Erlach owe their walls and various privileges. Count Rudolph of Neuchattel, Lewis his valiant son, the Counts Peter of Arberg and Gerard of Valengin, all of the same house, were by thei extensive fiefs, alliances, intermarriages and martial feats eminently distinguished at the Imperial court, in Austria Savoy, and all over Burgundy. They all publicly avowec their animosity against the Berners. Count Everard of Kyburg, no less inveterate against them, laid, about this time, a formal complaint before the Emperor, taxing them witl having refused the coins which he had struck under the Imperial sanction. Lewis, whose authority the Berners, on account of the Papal interdict, or prompted perhaps by thei aversion to all foreign sway, were unwilling to acknowledge listened to the charge; and it became obvious that he mean to chastise their city.

All the abovementioned Lords of the house of Neuchattel, the Counts of Kyburg, Gruyeres, and many others from the Uchtland, Argau, and the Pays de Vaud, assembled now ir the castle of Nidau, and were there met by the deputies o Friburg, once the ally of Berne, but now under the entire influence of the lords. It was here agreed, 'that the innu- 'merable insults they had of late sustained proceeded all from 'one single cause, the attempts of Berne to wrest the powe 'from the hands of the nobles, and to transfer it to the people: 'that hence it would be in vain to coerce the city in single 'instances; but that the evil would not be remedied until its

tives.

CHAP. VIII.

'total demolition.' This object they bound themselves by oath to accomplish without delay; and instantly conferred on Count Gerard of Valengin, the imperial prefect in these parts, full powers to make all necessary preparations. While these were carrying on, they cut off all communication with Berne; and all who saw the approaching conflict between a single city, and the vast collective forces of the Roman empire, joined to those of the many exasperated lords who had vowed its utter ruin, were filled with doubt and anxious expectation.

onduct of erne.

. In the Council.

The city, at this fearful moment, sought no protector, and yet betrayed no rash audacity. The council assembled under the avoyer John of Bubenberg the elder, and with its wonted dignity resolved, 'to satisfy all just demands, and to repel 'force by force.' A conference was proposed to the lords, and accepted by them: it was held at Burgdorf. Here Count

b. At a Congress.

Gerard demanded, in the name of the Emperor, the obedience of the Berners, and the payment of three hundred marks as a fine for sundry acts of contumacy. The Count of Kyburg, who, in the days of his necessity, had mortgaged certain revenues to the city, demanded the redemption of his pledges; and declared that he would no longer suffer his subjects to accept of the co-burghership of Berne. Count Rudolph of Nidau complained likewise that the offer of this co-burghership seduced many vassals from their allegiance to their lords; and that recently three men of his town of Nidau had been admitted to the freedom of the city: Peter Count of Gruyeres required that the Lord of Weissenburg, who had lately become a citizen of Berne, should be compelled to discharge a debt he owed to his family; the sum he estimated at

eight thousand livres Berne currency: this claim was backed by the citizens of Friburg, where the count was a co-burgher. These citizens also alleged that the Emperor had authorized them to redeem the mortgage of Laupen.

The deputies of Berne declared, 'that as soon as Lewis of 'Bavaria should be reconciled with Rome, they would pay him 'their due homage as head of the empire: that as soon as the 'Count of Kyburg should discharge his debt, they were ready 'to surrender the deed of mortgage; and that with this money, 'they would satisfy the claim of the Count of Gruyeres, al- 'though much might be alleged concerning the usurious charge 'made against the Lord of Weissenburg: that as they did not 'acknowledge the authority of Lewis, they could not consider 'his mandate concerning Laupen as obligatory: that they had 'heard with surprize the charge brought against them for 'admitting co-burghers, since this privilege had been granted 'and confirmed to them by various kings and emperors, and 'was daily exercised by other cities, and by the lords them- 'selves: that they had never abetted a vassal against his liege 'lord: that peace and justice should never be refused by them; 'and that for the sake of peace, they were willing to make 'every sacrifice, justice only excepted.' But all these conces- sions availed not. The lords profited by the delay, and completed their preparations. The Berners hereupon de- manded a conference with the deputies of Friburg, whom, they trusted, the remembrance of their common origin, and the friendship that had long subsisted between the two cities, would bias in their favour: but they received no encourage- ment; and Berne saw itself abandoned on all hands.

CHAP. VIII.

Frederick Duke of Austria, who was then at Lenzburg, on hearing of the intention of the lords, sent one hundred helmets under Count Henry of Furstemberg to join their army, and ordered all his bailiffs in the Argau to raise forces in their cause. Count Rudolph of Nidau, besides his levies in these parts, sent also for all his retainers out of Alsace and Suabia. The report of this great enterprize was spread throughout the Alps of Savoy, and beyond the Jura. Seven hundred lords, with crowned helmets; twelve hundred knights, in complete armour;[19] about three thousand horse, and no less than fifteen thousand foot, were now assembled against Berne. The citizens were daily apprized of their approach, their numbers, their threats, and the contempt in which they held the burghers. Anthony of Blankenburg, the Bernese governor of Laupen, having sent for immediate reinforcement, John of Bubenberg assembled the council and the principal burghers. Aware how much it imported not to betray the least sign of fear either to the enemy or the people, he rose and pronounced a solemn oath, 'to sacrifice his life and fortune for the defence of Laupen:' the senators and burghers followed his example. It was then decreed, that one out of two sons in every family should be drafted for this important service. Six hundred men were instantly arrayed, and under the command of John of Bubenberg the younger, marched to Laupen, fully resolved to defend that important post to the last drop of blood. The object was not merely to preserve that town, but chiefly to uphold the courage of the people.

Preparations of the Lords. 1339.

Of Berne.

[19] Ferreis muris armati.

CHAP. VIII.

Meanwhile the enemy appeared before Laupen. Every new band, under its count or baron, was received with shouts of acclamation. The Counts of Valengin, Arberg, Neuchattel, Nidau and Gruyeres; Montenach, with one hundred helmets; Furstemberg, with a select body from the Argau; the Bishops of Basle, Lausanne and Sion, were all assembled, when John the only son of Lewis of Savoy came into the camp with one hundred helmets, having been sent by his father to appease, if possible, this dangerous conflict: he repaired to Berne; but his endeavours proved ineffectual. The lords used every argument to induce him to engage in their cause: in an ill-fated hour he forgot the injunctions of his fond parent, and continued in the camp.

The Berners choose a Commander.

The Berners aware that on the momentous day, when the issue of a battle would decide their own freedom and the fate of their posterity, all would depend on the conduct of their leader, were greatly perplexed as to the choice of a commander. Many among them had conducted partial wars; but not one thought himself equal to the important charge that was now to be conferred. They had not among them men who, being skilled in the nice precision of parade tactics, to which they annexed a mysterious consquence, and having risen in the regular succession of subordinate ranks, were become peremptory and assuming:[20] and they knew how rare those men are, whose minds are sufficiently capacious to comprehend at once the whole plan of a campaign, to combine the co-operation of its various parts, and to provide for the issue of every possible event. The senate and burghers were in this state of anxious

[20] Such generals the great King of Prussia compared to the mules of Prince Eugene.

CHAP. VIII.

hesitation, when Rudolph of Erlach, son to the chief under whom many of the aged burghers remembered to have defeated the Lords at the Donnerbühel, rode into the town. He was descended from one of the founders of the city; and his ancestors had ever since been at its helm: he was in the most vigorous period of life: he possessed large estates, and delighted in the cultivation of his lands: he was at the same time a burgher of Berne, and a vassal of the Count of Nidau. Scorning to betray his allegiance to his liege lord, he repaired to the count, and dissuaded him from the intended expedition against Berne: his remonstrance was rejected; and Nidau consented to his joining his co-burghers, observing, that out of two hundred helmets, and one hundred and forty knights, addicted to his service, he could well spare a single man.—'You say, my lord count, that I am a single man;' answered Erlach on taking leave, 'I trust I shall prove to you that 'I am a man.'

At the sight of Erlach in the streets of Berne, the remembrance of the victory gained by his father started suddenly into every mind. A general acclamation conferred on him the supreme command, and the avoyer delivered the city banner into his hands. He then addressed the people; 'six 'battles,' he said, 'have I been engaged in, in which the 'smaller number have prevailed over numerous armies. Strict 'subordination alone can insure success; and without it the 'most intrepid valour can avail but little: you who are born 'free, are naturally impatient of control; but you will cease 'to be free, if you refuse to yield when your obedience becomes 'necessary. I fear not our adversaries: with God's aid and 'yours, I will dare their multitude, even as we did in the days

'of my father: but of this be well aware, that I will not b
'your commander unless I am invested with absolute autho
'rity.' The burghers followed the example of the ancien
Romans; they held up their hands, and swore by Almighty
God and by his saints, that they would be implicitly obedien
to the commands of Erlach.

While the co-burghers were assembling from all parts, the
Baron John of Kramburg, a late avoyer of Berne, hastened
over mount Brunig to the forest cantons, the league betweer
whom and Berne had lately expired. Being arrived in Under-
walden, he represented to an assembly of the people, that the
freedom and very existence of their late allies and constan
friends, depended on the event of a single day, in which they
would have to encounter the exorbitant power of an inveterate
foe. The people answered, 'Dear Lord of Kramburg, true
'friends appear in the hour of need: go tell your citizens that
'we will prove it to them.' Messengers were immediately
dispatched across the lake; and nine hundred hardy youths
armed themselves, came over the Brunig and down the
valleys, marched through Berne, and encamped before the
upper gate.

Eve of the Battle.

Erlach now summoned a council of war. He asked the
leaders of the Swiss, 'when shall the army march?' they
answered, 'immediately:' he put the question, 'how shall
'we fight?' they replied, 'to the last drop of blood.' Among
the former allies of Berne, the city of Soleure was the only
one which proved true to its engagement. Although menaced
by an Austrian army, it nevertheless sent eighty men of well
appointed cavalry. All these forces met on the twentieth of
June. The priest Diebold Baselwind exhorted them: 'the

CHAP. VIII.

'enemy,' he said, 'trust in their numbers; but God confounds 'the audacious, and protects the brave who confide in him. 'St. Vincent and St. Ursus[21] have obtained heaven, because they laid down their lives in a good cause. He who dies for his country earns everlasting bliss, and those who survive succeed to fame and liberty.' The remainder of the day was spent in solemn worship, processions, vows, and the distribution of alms. At the midnight hour the signal was given for the march

The March.

By moonlight were arrayed nine hundred men from the forest cantons, three hundred from Hasli, three hundred from the Sibenthal,[22] four thousand burghers and co-burghers, and, headed by their standard, the eighty horse from Soleure: the priest Baselwind led the march, bearing the consecrated host. The aged fathers, the wives and children, gazed on the departing columns, until woods and rising grounds, and the faint glimmer of the night concealed them from their sight. They then hastened to the churches and chapels, and fell prostrate at their altars. The council remained assembled, watching every incident, attentive to every report, and ready in case of any sinister event to provide for the safety of the city.[23]

Hour before the Battle.

About noon on the twenty-first of June, the army arrived near, but not in sight of Laupen. Erlach took his station on an eminence from whence he could survey the whole force of

[21] The patrons of Berne and Soleure.

[22] A long narrow valley, extending from Thun up to the boundaries of the Valais. The Baron of Weissenburg was here a considerable proprietor; and, being a burgher of Berne, had, no doubt, been instrumental in procuring this body of auxiliaries for the defence of the city.

[23] This caution was not superfluous, since an Austrian army was hourly expected from the Argau.

the enemy, and where his rear was covered by a wood. Many knights, as in ancient times, sprung forth from their ranks, and dared their adversaries with taunting menaces and invectives. Nidau told the most impetuous among them, 'fear not, 'lest you should lose your prey; this foe, be assured, will not 'desert you.' He had before this, at the court of Duke Albert, compared an army of Berners to a forest of thorns. Erlach had under him a considerable body of men as yet unpractised in the use of arms: he hence cautiously abstained from using any complicated evolutions. His maxim (a simple one, which seldom fails, and yet is seldom practised) had ever been, to establish strict order and subordination, to inspire his troops with ardour and confidence, and then to march straight up to the enemy, and never turn his back. He complied with the desire of the Swiss and the men of Soleure to be opposed to the enemy's cavalry, which threatened either to flank his line, or to fall upon his rear from the heights. The Berners he drew up against the infantry: he chose among these a select number of youths, of the tribes of the tanners and butchers, and inflamed their minds with irresistible fury, by calling to them, 'where are you now, ye gay gallants, who, decked with 'flowers and feathers, are ever the foremost in the dance? 'the fate of Berne is at this instant in your hands: here's 'Erlach; here's the banner.'—'Lead on, we follow,' was the general cry; and they closed round the banner.

The Battle.

The signal being given, a body of slingers rushed upon the enemy, threw each three stones, broke the ranks, and then fell back. Heavy iron chariots were now hurled down full speed among the open files, and the men upon them fought with desperate fury: the cars being so constructed that they could

CHAP. VIII.

not be turned in their rapid course. The unpractised troop, which had been posted in the rear, mistaking the retreat of the slingers for the beginning of a rout, fled into the wood.[24] Erlach prevented the fatal impression that might have been made by this defection: 'we are now sure to conquer,' he exclaimed with a serene countenance 'for all the cowards have 'left the army.' He instantly, while the chariots were still committing havock, fell, with his chosen band, and the city banner in his hand, upon the enemy's infantry. The Friburghers stood the brunt of this fierce attack; and among the first who fell were their avoyer and banneret, with many of their kinsmen and fellow citizens. What followed in this bloody conflict, is, like the particulars of most battles which have not been described by the commanders themselves, wholly unknown. The enemy's infantry, especially those of the Pays de Vaud, as soon as all resistance appeared ineffectual, threw down their arms, and fled in great disorder, along two roads, the one above, and the other below Laupen. Towards the hour of vespers the Berners flew to the assistance of the Swiss and the men of Soleure, who had been furiously assailed by the enemy's cavalry; and who, according to their usual practise, had remained immoveable, until the slingers had wounded and staggered the horses of the enemy, and thrown their whole array into confusion: the assailants were actually retreating when the Berners came up, and spread havock throughout their disordered ranks. Here fell among the foremost, Count Rudolph of Nidau and Count Gerard of Valengin. All heard with sorrow the untimely fate of John

[24] They are said to have been two thousand in number; they were ever after called the *foresters*.

of Savoy, whom his fond parent was still expecting as the harbinger of peace. Three Counts of Gruyeres, and eleven of other illustrious houses, were likewise found among the dead. The slaughter among the lower ranks was, as usual, greatest during the flight. The Baron of Blumenberg hearing who, and what numbers had perished, exclaimed, 'God forbid that 'I should survive such men, such friends!' and rushing among the Swiss, met his wished-for doom. The whole tract of country for several miles, was strewed with dead bodies of men and horses, with arms, eighty crowned helmets, and twenty-seven banners of different lords and cities.

The Evening.

The Berners, after the pursuit, assembled on the field of battle, fell on their knees, and thanked the God of Hosts for the aid he had granted to Erlach's skilful conduct, and their valour. Erlach commended their obedience: 'Never shall I 'forget,' said he, 'that I owe this victory to the confidence of 'my fellow citizens, and to your heroic virtue, brave trusty 'friends and generous defenders from the forest cantons and 'Soleure. When our posterity shall hear the narrative of this 'day's exploits, they will prize above all things the mutual 'friendship of the valiant men who have achieved them: they 'will, in all their wars and dangers, remember whose sons 'they are.

The day after the Battle.

The following night the army remained on the field of battle, and at the break of day moved homeward, still preceded by Baselwind, and followed by the banners, arms and accoutrements of the vanquished lords. Each warrior, with victory glistening in his eye, once more embraced his exulting friends and kindred; and Erlach, having resigned the command, returned to his rural cares. The Berners and Swiss

CHAP. VIII.

agreed now on an alliance: the former paid to the latter seven hundred and fifty livres, as an indemnification for the losses they had sustained in the expedition: lastly, it was ordained that this day should ever after be celebrated at Berne as a solemn festival, in order to preserve a lively remembrance of the heroism of Erlach, and of his brave followers; and to excite in future generations a patriotic ardour to emulate such glorious deeds.

Sequel of the War.

So decisive a victory did not, however, deter the surviving lords from further attempts: but the Berners defeated them all. The young men of Berne became now passionately addicted to arms; and could scarcely endure the tedious tranquillity of Lent, during which it was deemed sacrilege to attempt hostilities.[25] After various encounters, in one of which Erlach once more headed the Berners against Friburg, the want of pecuniary means at length disarmed the lords. The Berners had no views of conquest: fame and independence was all they contended for. Territories, they knew, may be wrested from us; while firmness and courage are securely our own, and not in the power of fickle fortune. Whoever has these, is free at all times, and in all places.

Peace. 1341.

As soon as Queen Agnes at Koenigsfelden, and even the city of Friburg demanded peace, a congress was held, at which terms of accommodation were agreed on, and a regular process was established for compromising all future differences. Rudolph and Jacob, sons of the Count of Nidau who fell at Laupen, were at this time minors; and their relations of the house of Neuchattel, well apprized of the inflexible integrity

25 They called this interval their lying-in.

CHAP. VIII.

of Rudolph of Erlach, requested to place them under his care and guardianship. Many have conquered like Erlach; but we know of none who, having vanquished and slain the father in battle, was by the kindred of the deceased entrusted with the wardship of his infants. The day of Laupen is, no doubt, a more splendid, but this is a far more glorious monument of Erlach's virtue. So far was the council of Berne from availing itself of this confidence towards obtaining advantages over Nidau, that it not only provided that the young counts should be completely invested with their patrimony, but even agreed (what had been tendered before the war) that none of the subjects of Nidau should be admitted into the burghership of its city.

A Plague. 1349.

A calamity which at this time terrified most of the nations of Europe and Asia, raged with more than common severity in these Alpine regions. A plague, which succeeded tremendous earthquakes, and which Boccacio has described in his masterly stile, carried off at Basle upwards of twelve thousand inhabitants, and destroyed about one third of the Helvetic nations. Whole townships became desolate; many estates were left unoccupied and unclaimed; priests were wanting for the administration of the host, and graves in the churchyards for the burial of the dead. In these disastrous times men pursued various courses to soften the horrors that surrounded them; and many sought refuge in the intoxication of sensual enjoyments.[26] The senators of Berne thought it expedient to exhilarate the minds, especially of their martial

[26] 'Affermavano il bevere assai, e il godere, e l'andar cantando attorno e sollazando, ed il sodisfare d'ogni cosa all' appetito che si potesse, e di cio che avveniva ridersi e beffarsi, essere medicina certissima a tanto male.' Boccacio.

CHAP. VIII.

youth, by some arduous enterprize: they sent a body of them with a banner into the Sibenthal, where Wendshaz, one of their bannerets, had been lately slain in the prosecution of the war against Gruyeres.[27] The daughters of the villagers admired the comeliness and gaiety of the young warriors, and the banneret did not restrain their jocund mirth with over-rigid severity. One thousand sprightly youths danced in full armour, with each a blooming partner; and in their merry songs, ridiculed the devotions of the penitent brethren, who, at this time, were wandering through the land, chastizing themselves for the trangressions of the world.[28] In the midst of their gay frolics, they heard a signal, and instantly flew up to the castle of Laubeck, near which Wendshaz had perished, took and demolished it, and thus avenged his death; they thence proceeded full speed up the valley, and by this expedition secured to Berne a decided superiority in the Sibenthal; but as to territorial acquisitions, none were as yet obtained, save the village of Hobsteten, which was purchased from its lord, the Baron of Thorberg.

Fate of Bubenberg;

After John of Bubenberg had repeatedly administered the office of avoyer, in times of the greatest difficulty and danger, and ever with distinguished ability and honour, his enemies insinuated to the burghers, 'that arrogance was the here-'ditary characteristic of his family; that in his audiences he 'assumed the stateliness of a sovereign prince; and that he 'never determined a cause, or dispatched a suitor without a 'bribe.' It had, in fact, been long the practise in his family

[27] When Wendshaz saw himself surrounded, he threw the banner over the heads of the enemy, and fell; the banner was brought back to Berne, abundantly stained with blood.

[28] The Flagellants.

to conduct the affairs of the city, founded by their ancestors, upon the great principles of sound policy and inflexible justice; but wholly regardless of party spirit, or popular adulation. Hence it became easy, as had been often practised in the ancient republics, to procure his banishment from the city. The veteran retired with some friends, who shared in his exile, to his hereditary seat at Bubenberg. After fourteen years, however, envy having spent its venom, and the people being left to their own feelings; they, having compared the subsequent administrations with those of Bubenberg, demanded his recall. The council yielded reluctantly to the general voice; but crowds gathered, and loudly called for the banner, in order to signalize, with distinguished honours, the return of the venerable magistrate. A deputation brought him back in state, and amidst joyous acclamations; but being himself now full of years, his son John was invested with the office of avoyer.[29]

and of Erlach.

Rudolph of Erlach, the saviour of his country, lived to an advanced age, at the solitary residence of his forefathers at Reichenbach, not far from Berne, on the Aar. He never held the office of avoyer; and in the latter wars, he either took no part, or fought in the ranks with other knights; for he was equally apprized of the envy of the great, and of the fickleness of the people. He had two sons and a daughter; the latter of whom he gave in marriage to Jobst of Rudenz, from Underwalden, a relation of the venerable Baron of Attinghausen. His hinds cultivated his lands and gardens; a female servant prepared and served up his frugal meals: here he was often

[29] He was exiled in 1348, and recalled in 1362.

CHAP. VIII.

alone, guarded by his dogs: his victorious sword hung against the wall in his chamber. Thus lived Erlach, when Rudenz one day came to visit him. An altercation arose concerning the marriage portion. The young knight was prodigal; and Erlach, on the other hand, was as good an economist as he had been an able commander, and at all times an upright man. He was now hoary, trembling and feeble: he admonished his son-in-law with earnestness; the youth looked round, and perceiving the sword, snatched it from the wall, and plunged it into the bosom of the aged hero.[30] The dogs pursued him howling through the woods. The fatal tidings no sooner reached Berne, than all the nobles and burghers hastened in search of the assassin; but whether he was taken, or what death he died, is not recorded.[31] No inscription decorates the tomb of Erlach:[32] his glorious deeds are his monument; it is indelible while there are men on earth who feel the glow of virtue: and in future ages, notwithstanding the fluctuations in men's estimation of worth, and when the Swiss themselves shall have degenerated into a people widely different from their brave ancestors, Erlach will still be ranked with the brighest ornaments of Greece and Rome, a hero fearless and unblemished.

[30] G. E. Haller, in his historical library, has thrown some doubt upon this fact; but we have followed the authority of Lauffer, and especially of Muller, who has written since Haller.

[31] It appears, by some deeds executed by his widow, that he must have died soon after this execrable murder.

[32] He is supposed to have been buried under the great minster at Berne. His sons lay together in a humble country church, without any inscription except their names.

## CHAP. IX.

### *Four Cantons added to the Confederacy.*

CHAP. IX.

Conspiracy against Brun.

BRUN had now governed Zuric near fourteen years, during which he had, by his singular address and circumspection, raised his power and fame to the highest pitch of pre-eminence, when he at length felt the effects of the implacable hatred he had excited in the superior orders of his fellow citizens, whom he had stript of their rank, property and consequence; and who abhorred the policy which had induced him to transfer the offices of government from themselves and their kindred, to men of the lowest condition. These, seeing no period to their calamities while Brun survived, resolved to make a joint and vigorous effort to rid the world of so base an usurper; to drive the mechanics from the senatorial chairs, back to their workshops, where alone they might effectually serve the public, and to restore the former constitution under which Zuric had long flourished. This act appeared to them not only expedient, but highly meritorious, and perfectly consonant with the laws, which, though now suspended, they did not consider as abrogated; and according to which, the very attempt to establish tribes was considered as a capital offence. They deemed, moreover, that every government has the same inherent right to counteract the efforts of those who meditate

[1] Zuric, Glaris, Zug and Berne.

CHAP. IX.

its downfal, which every individual justly claims to defend his life and property: they hoped in one decisive night to put an end to their opprobious degradation; and by various inducements they prevailed on Count John of Hapsburg Rapperswyl, the Baron Beringer, Ulrich de Bonstetten, Ulrich de Mazingen, and several others, both lords and plebeians, who, like themselves, were equally addicted to the old constitution, and exasperated against the burgomaster, to join their party. Numbers of the many, who are ever prone to novelty and violence, likewise sided with them: and it is memorable, that among the seven hundred who engaged in this hazardous enterprize, not one betrayed the cause.

The day appointed for the execution of the project was now approaching, when Ulric de Bonstetten came to Zuric, with a numerous retinue, on a visit, as he pretended, to a nun in the ladies monastery, who was his relation: late in the succeeding night came also, as if on urgent business, Count John of Hapsburg, and alighted at an inn kept by one of the conspirators: many others arrived likewise, under various pretences; and the man who watched at one of the gates had been bribed to admit the exiles, who were soon expected from Rapperswyl. The whole party met at the inn, as if to compliment the count on his arrival; and they now congratulated each other on the prospect of a speedy restoration. In the midst, however, of this exultation they were unmindful that, in the prosecution of such an enterprize, no incident is so trivial but that it may defeat its purpose. A baker's boy was slumbering in the corner of the room, whom few observed, and some took for a servant of one of the party: he heard the whole project, and stealing away unobserved, ran to caution his master.

The baker hastened to the burgomaster, who instantly girt on his armour, and ran barefooted towards the town-house; his wife, children and servants raised the neighbourhood; and the baker flew to the alarm-bell. The conspirators, hearing the uproar, saw that no time was to be lost, and sallied forth in search of Brun: they met him, but slew his servant who preceded him, and whom they mistook for the master. Brun reached the town-house, bolted the gate, and, loudly vociferating, called up the burghers: he charged those within hearing to break down the upper bridge, and then fly to him at the town-house. All the tribes were soon assembled in full armour: the monks, who were then at mattins, forsook their altars, seized on the weapons nearest at hand, and joined the burghers: the women threw pots, pans, and stones out of the windows; and a general tumult prevailed throughout the city. The conspirators took possession of the market-place; but the burgomaster fell upon them with a large body of his burghers, and overpowered them. Several of the lords, and five of the old senators, fell in this conflict. Many of the insurgents now concealed themselves; and some, in order to save their lives and property, even went over to the burghers: several were trampled to death; many were sunk in a vessel in which a greater number had crowded than it could bear: some jumped over the walls; all were dispersed; and John of Hapsburg and Ulric de Bonstetten were taken in the town ditch. Thus ended this night of slaughter and confusion.

The two captives were confined in the Wellenberg.[2] The bodies of the slain lay three days unburied in the streets

[2] A tower built on a rock, in the middle of the Limmat, where it issues out of the lake.

CHAP. IX.

Thirty-seven burghers, who were suspected of having shared in the conspiracy, were soon after publicly executed before their houses. Neither fear nor remorse deterred the victorious burgomaster from acts of ferocious cruelty; for he well knew his absolute power over the minds of the people, and was wholly regardless of the applause of posterity. He now advanced with a strong force up the eastern borders of the lake, and invested the town of New Rapperswyl; after a three day's siege, the inhabitants, despairing of relief, stipulated for the inviolate security of their rights and property, and surrendered. Brun made some further progress towards the Marches of Schwitz, and also demolished Old Rapperswyl. After all these successes, he saw with surprise that no steps were taken for the release of the captive lords: he wished for peace: he dreaded the power of Austria, which he expected would soon exert itself in favour of John of Hapsburg. Zuric itself was indeed well fortified according to the military art of those times; but Rapperswyl was distant and exposed; and Zuric had not the vigour which Berne displayed in the defence of Laupen; nor had Brun a soul like that of Erlach. He did not, however, listen to the advice of those who proposed to relinquish that town, but marched up to it with additional forces; took sixty of its principal inhabitants, whom he sent to Zuric as hostages; demolished the castle, long the residence of an ancient and illustrious race, and razed its walls. All this the inhabitants bore patiently, trusting that in their defenceless state, and with the security given for their peaceful conduct, they would henceforth be suffered to remain unmolested: but Brun was faithless and inhuman. On the following Christmas, during a severe frost, he ordered all the burghers, their wives

and children, the sick and decrepid, to quit their homes; and the whole town, even to the meanest hut, to be levelled to the ground. These tidings having reached Zuric, the sixty hostages, regardless of their safety, and defying the inclemency of the season, hastened to meet their hapless friends, and found them half frozen at their pinfolds. Such was the atrocious act committed by Brun, because he had not the courage to defend Rapperswyl. As long as the sack of Magdeburg will stain the memory of Tilly, and the desolation of the Palatinate tarnish the glory of Lewis the Fourteenth, so long will this deed of Brun be reprobated by those who think mankind has evils enough to encounter, without the addition of the ravages of war.

Zuric admitted into the Swiss confederacy.

Forty-five years had now elapsed since the Helvetic Confederacy had dawned in the field Rutli, when Brun conceived a project, without which it would perhaps never have emerged out of its native vallies. The danger of an approaching war with Austria, induced him to send to the forest cantons for aid; and, in order to secure their permanent assistance, to offer a perpetual league. The ancestors of the Swiss had long perceived, that Zuric would at all times be both an important barrier on the open side of their country, and a convenient market for their commercial purposes: they therefore, without fear of impending danger, or any doubt concerning the justice of the measure, resolved to form a perpetual union with that city, for the defence of the common cause. They without delay sent deputies to Zuric, who on the second day of May, 1351. sealed, and confirmed by oath, the following compact.—'We, 'the cantons of Zuric, Lucern, Uri, Schwitz, and Under-

CHAP. IX.

'walden,[3] do hereby enter into a firm and perpetual union: we 'engage to assist each other with our lives and fortunes, against 'all who shall any ways attempt to injure us in our honour, 'property, or freedom: this we bind ourselves to perform, at all 'times, and in all places within the Aar, the Thur, the Rhine, 'and Mount St. Gothard: whenever the council or commu- 'nity that calls for aid, shall declare, on oath, that the case is 'urgent, each canton shall, without evasion or delay, and at 'its own cost, send the demanded succour: should one of the 'cantons be attacked unawares, all the Confederates shall 'instantly assemble, and not lay down their arms until they 'have obtained redress: in great emergencies, such as a dis- 'tant march, or a long campaign, the cantons shall hold a 'congress at Einsidlen, and there deliberate on the measures 'to be pursued: the canton which shall summon the Con- 'federates to a siege, shall defray the expences of the necessary 'implements: this succour shall be yielded within the above- 'mentioned limits; but should any one molest a confederate 'beyond those limits, and the offender be found on this side 'our boundaries, he shall be detained until he has made ample 'reparation: we, the Confederate Cantons, solemnly reserve 'all the rights of the Holy Roman Empire and its sovereign, 'and each of us his previous alliances: each canton may form 'new alliances, but not to the prejudice of the Confederacy: 'we will jointly defend the burgomaster, the tribes, and the

[3] Zuric is indebted for its precedency in rank solely to the forbearance of the forest cantons; Lucern had the second place, because it was likewise a city; Uri took the rank before Schwitz, because the venerable race of Attinghausen generally held the office of Landamman in its valley.

'constitution of Zuric: should (which Heaven avert!) any 'dissention arise between Zuric and the forest cantons, the 'city shall send two men of probity and wisdom, and the cantons two others, to Einsilden; and these four shall, on oath, 'decide the difference: should their votes be equal, they shall 'choose a fifth confederate of any canton, and he shall have the 'casting vote: in order that this compact may have general 'and constant notoriety, it is hereby ordained, that it shall 'be renewed every ten years, or more frequently if required, 'and be confirmed by all of the age of sixteen and upwards: 'parts of this covenant may be altered or repealed, and additions may be made; but no alterations, nor yet the omission 'of a renewal, shall impair its validity; we being firmly resolved that this Confederacy shall be perpetual, fixed, and 'inviolable.'

Such was the simple brevity these unsuspecting people observed, even in their most important transactions, which, in more polished nations, where all manner of fraud must be premised and obviated, will no doubt appear inadequate, and perhaps contemptible. The Swiss in particular were a plain, honest race, sincere and artless in all their dealings, but ever great in the hour of danger: many excelled them in language and address, but none in the day of battle. Brun, on the other hand, was eminently skilled in all the arts of a party leader; vaunting in conversation, sometimes courageous from the fear of death, vigilant from cowardice, austere to a degree of barbarity, and base even to perfidy: he was formidable, because every man is formidable who suffers no tie of honour or justice to control him: in his many blemishes, as well as few good qualities, and in several of his destinies, he was not unlike

CHAP. IX.

Aratus of Sicyon. The league of the Achæans, which the Grecian chief raised from obscurity, was indeed more perfect than the Helvetic, the cities who composed it having all things in common, except their walls; but because its first period was coeval with the rise and spreading power of the Roman republic, its duration did not exceed one hundred and thirty-five years: whereas the Swiss Confederacy, ever assailed by formidable and inveterate adversaries, has subsisted three times as long, and has at length yielded to an event as unforeseen as it has proved disastrous. Zuric at this time contained upwards of twelve thousand inhabitants, some of whom were rich, and by far the greater number free: they traded into Italy, Flanders, and as far as Poland. Count John of Hapsburg, and Ulric de Bonstetten, were still confined in the Wellenberg, where the former composed a song on his calamity: but none of their relations made offers for their release, nor were any steps taken towards a general pacification.

War with Austria.

In the beginning of August came Duke Albert of Austria, son to King Albert, and grandson to the great Rudolph, to his palace at Bruck. Zuric sent a deputation to compliment him, and to offer presents: he thanked them, and accepted the gifts. A few days after he assembled all his civil officers and vassals from the Thurgau, Argau, Sundgau, Alsace, the Black Forest, and Suabia: he stated to them how cruel and perfidious the burghers of Zuric had been towards many of his subjects, and particularly his town of Rapperswyl; and urged the necessity of an immediate and exemplary punishment. This being resolved, the duke sent for the deputies, spoke harshly to them, and insisted that Zuric should rebuild both Old and New Rapperswyl, restore the Marches, and indemnify

him and his people for their losses. They answered, 'that 'Count John had been the aggressor: that he had come into 'their city in the night, and manifestly with hostile inten- 'tions: that their own security had been the sole motive of 'the war they had carried on; and that they (the deputies) 'were not authorised to comply with the terms demanded of 'them.' The duke upon this armed without delay. Zuric sent to the Emperor Charles the Fourth, to request his amicable interposition, but at the same time summoned the forest cantons. Charles promised his good offices towards an accommodation; and the Swiss came early in the month of September, with flying banners, into the city. The duke invested Zuric with sixteen thousand men.

Duke Albert was now in the sixty-third year of his age; he was tall, and of a commanding aspect; his mind, naturally vigorous, was improved by study and observation; he was dextrous in his conduct of public affairs, forcible in his language, moderate in the use of his power, equitable in the seat of justice, and friendly to the poor: he loved cheerful converse, a relaxation he stood in much need of, having long been subject to painful athritic complaints, which, when they prevailed, induced an asperity in his temper that rendered him sullen and irrascible. An arbitration between him and the Confederates was agreed on, and Zuric, to the surprise and great concern of the Swiss, sent sixteen hostages for the execution of the future award. Although the treaty now framed contained various articles highly injurious to the honour, and detrimental to the interests of the Confederates, yet the friends of the sixteen hostages had sufficient influence to obtain its confirmation. The article that appeared most disgraceful to

CHAP. IX.

the Swiss, and injurious to their honour, was their being bound to swear annually to the observance of the contract. A people like this should never treat but on the day after a victory. When the deputies of Zuric delivered in their formal ratification, and demanded the release of their hostages, the duke upbraided them with much severity for not having as yet liberated Count John, his kinsman. They heard this reproof with great surprize, the count having no where been mentioned in the treaty, although others in his predicament had been inserted. The Austrian ministers, whose object in the whole transaction was merely to gain time for preparation, and to lull the Confederates into a fatal security, insisted, that in the words, 'all servants of Austria and its dependents,' the count was manifestly included. The Swiss, indignant at the artifice, resumed their arms: in these they excelled; but not in negociation.

Duke Albert summons the people of Glaris.

The duke summoned all his retainers and allies, and among these also the people of Glaris, who, long since dependent on the abbey of Seckingen, were governed by a steward nominated by the lady abbess. The Counts of Hapsburg having acquired the advocacy of the abbey, obtained likewise the feudal tenure of this office of steward. Hence arose much uneasiness in the valley; the people perceiving the intention of the duke, to combine the limited authority of this stewardship with his absolute power in the neighbouring Gaster: they were likewise alarmed on seeing strangers sent to govern them, who resided in castles, and were surrounded by soldiers; whereas their former bailiffs were men of their own valley, dwelling, unguarded, in wooden huts, among them. The duke, moreover, refused to renew the covenants of their avowed liberties,

CHAP. IX.

which had been accidentally burnt; and withheld the stipulated pay of a select body of their countrymen, who had voluntarily gone on a distant expedition in his service.[4] The men of Glaris were a hardy vigorous race, armed with long halberts, and inured to every toil: they were obedient to their lawful superiors; but scorned the horrors of unlimited servitude, which, if ever it prevails in this valley, must soon render it a dreary desert. Hence, when they felt the oppressive hand of Albert, they reflected on the example of the Swiss, preserved their firmness and independent spirit, but suffered themselves to be biassed neither by hope nor fear. Walter, a knight of the ancient house of Stadion, had now succeeded his father in the office of bailiff, and governed with stern severity.

who join the Swiss.

In answer to the summons of Duke Albert, this people declared, 'that as advocate of the abbey of Seckingen, he had 'an undoubted right to call them forth in any war that might 'concern their sovereign princess, the lady abbess; but that 'as to any war of his own, in which she bore no part, it could 'no ways affect them, nor could they be compelled to engage 'in it.' The duke upon this sent troops to Glaris, not only to awe the people into compliance, but also to harrass the Swiss cantons from that quarter, and thereby prevent the succour they might send to Zuric. No sooner were the Swiss apprised of this, but their banners instantly, in the depth of winter, advanced into the valley of Glaris; and so far were the inhabitants from offering any resistance, that they carefully concealed the expedition, which had been concerted with them, from the bailiff; who, finding himself overpowered, fled hastily out of the country. Thus freed from their

[4] In the year 1330; against Colmar.

CHAP. IX.

oppressors, the people of Glaris entered into a treaty of amity with the Swiss; the latter engaging to support them against any vindictive attempt on the part of the duke. Two hundred of them hereupon joined the confederates, and marched to the defence of Zuric.

1352. The winter however had not yet expired when Walter of Stadion returned with an armed force, in hopes of being able to seize on Glaris by surprise. The Alps were covered with deep snow; the people were collected in the valley; each man living in his wooden hut, with his wife and children, and surrounded by his cattle. On the news of the invasion, they all flew to arms, met Stadion in the field Ruti near Næfels, and assailed him with the impetuosity of men determined to maintain their liberty or perish in the attempt: the conflict was severe and bloody: Stadion and many nobles fell, and his people fled hastily beyond the frontier: the conquerors demolished the castle of Næfels, and returned to their huts. Having thus, singly, defended their country, and asserted their freedom, they, conscious of having merited this object of their wishes, sent to the Swiss to request admittance into their confederacy.

Admitted into the Confederacy.

The sole purpose of this confederacy being to vindicate their native independence, the Swiss were not only willing but solicitous to become firmly united with men so brave and free-minded as the shepherds and husbandmen of Glaris. 'The duke and the lady abbess,' it was agreed in this treaty, 'shall retain all their rights and revenues, and the country of 'Glaris all its liberties. We of Zuric, Uri, Schwitz and Un-'derwalden will strenuously, and with all our power maintain 'our friends of Glaris in the secure enjoyment of those

'liberties: we of Glaris will be ever ready to aid our confe-
'derates in all their wars; and at their desire will accede to
'any alliance they may think proper to form with other states:
'to obviate all future dissensions, we of Glaris do promise,
'that if any complaint of ours shall appear frivolous or ground-
'less to our confederates, we will wave it without reluctance
'or delay: should any man of Glaris arm against, or other-
'wise molest our confederates, singly or collectively, he shall
'be tried for his life by the magistrates of our own valley;
'and on conviction, his whole property shall be forfeited to
'the confederacy: in all differences that may arise, arbitra-
'tors shall be chosen by both parties, whose award shall be
'decisive: we of Glaris shall enter into no alliance without
'the concurrence of our confederates.' Mutual confidence was the basis of this treaty; in which the Swiss were equally remote from selfish views, as the men of Glaris from suspicious apprehensions, in yielding up various points, which crafty allies might easily have misconstrued to their prejudice.

Battle near Tatwyl.

Meanwhile large bodies of men from Basle and Strasburg, who had been stationed near Baden, made frequent inroads to the very gates of Zuric. Brun, with fifteen hundred burghers marched out to avenge the insult: he crossed the Limmat and advanced towards Tatwyl.[5] The district of Baden consists of many small valleys, watered by the Reuss and Limmat whose banks, being diversified by a rapid succession of tufted woods, verdant hills and broken rocks, afford abundance o advantageous posts. Brun's expedition was not carried or with the secrecy that might have insured success; and he, moreover, was so destitute of information, that Burcard

[5] A village not far from Baden.

CHAP. XI.

of Ellerbach, with a strong body of men, and a large train of warlike implements, had actually entered Baden, before he had any intelligence of their approach. The Zurichers had reached Tatwyl, when they learnt that in less than an hour they were to be attacked by the garrison of that city, which now consisted of four thousand men.

Brun consults his own safety.

The burgomaster, upon hearing this, became confounded and appalled: he called his servant; 'my friend,' said he, faultering, 'our situation, I fear, is extremely hazardous, if not desperate. I dare hardly own it; but, all things considered, I doubt few, perhaps none of us, will escape this imminent danger: I am little concerned for my own life; I would willingly lay it down with those of my dear countrymen; but, then, you know, there will be an end of our city. Who will inspire fresh courage? who will conduct the public affairs? As to us, believe me, our best expedient will be (but do not betray us) to return together to Zuric.' They hereupon withdrew privately to a country house of Brun, not far from the city walls. Stuki the banneret, and Roger Manesse, missing the burgomaster in the ranks, animated the disheartened troop, by their own resolute mien and deportment: the latter sprung into the front, and exclaimed, Here, my friends, is the enemy, three times more numerous than we are. Our country, this day, looks to you for its salvation; all depends now upon your conduct and intrepidity. But think not that we are abandoned: all Zuric is arming; our fellow citizens are hastening to our relief; and the Swiss are near at hand. To secure the assistance of the latter, the council of war have thought it expedient to send the burgomaster, on account of his great knowledge of the

'country, to meet and conduct them hither: and, in the 'meanwhile, they have invested me with the command. 'Rouse, fellow citizens! fight like men, brother soldiers! 'Let us save our country, or perish in the struggle. *Here St.* '*Felix!*'[6] is our rallying word.' Thus spoke Manesse with a calm, undaunted air: the men drew up, and firmly awaited the charge.

Ellerbach attacked them on all sides, and at each side found an impenetrable front. It is reported that Manesse had placed in the ranks, where he expected the attack of the enemy's cavalry, a number of mares he had lately taken, and thereby threw their horses into confusion. With his fifteen hundred men, he stood the repeated shocks of four thousand assailants, during three hours; when, night approaching, the combatants, exhausted by toil and dangers, withdrew from the arduous conflict. At this instant was heard the shout of '*here* '*Zuric, here St. Felix!*' Manesse repeated the welcome sounds, revived the ardour of his men, and renewed the fight. One hundred and fifty inhabitants of four villages, co-burghers of Zuric, who knew nothing of the action, had assembled, and were advancing over the hills to reinforce their feeble army: they heard the shout, comprehended its meaning, and rushed furiously upon the enemy, who, soon after sunset, were completely routed. Manesse, by this timely exertion, saved four-fifths of his men: he pursued the fugitives to the walls of Baden; passed the night on the field of battle, and at the dawn of day, marched back to Zuric. He buried his dead close to the city walls; and hung out at the town-house, the six banners he had taken from the foe.

[6] One of the tutelary saints of Zuric.

CHAP. IX.

The burgomaster, whom this unlooked-for victory had struck with terror, was triumphantly conducted by the burghers from his country house into the city, and there, with joyful acclamations, confirmed in the office of burgomaster for life. He had given out that several lords had again conspired the downfal of the tribes, and to reduce honest tradesmen to the state of abject tyranny, from which he had been the means of rescuing them: that therefore they had devoted him to ruin, and had spread the report that he had fled on the day of battle. The people, whose voice is often called the voice of God, believed the delusive plea; and his power was not only preserved, but even augmented. Manesse had no reward but the conscious approbation of his own heart, which no popular sentiment can either give or take away.

Early in the ensuing spring, before the duke had prepared his forces, a band of Swiss marched down the Argau, and burnt the Beron-minster, and seven villages. One thousand Austrians soon after came into the neck of land which separates the lakes of Zug and Lucern, and pillaged and burnt the town of Kusnacht. While these were retreating, loaded with spoil, forty-two men of the forest cantons resolved to hazard a sudden attack, in hopes of rescuing the booty. Seventeen of them were killed at the first onset; but the remaining five and twenty maintained the fight, and darted such looks of confidence on their thousand foes, that these, suspecting the present attack to be a mere stratagem, and that a greater force was near at hand, fled in great disorder. It was an established law among the Swiss, that he who fled from battle should suffer death, and his posterity, for three generations, be doomed to infamy. The insult on Kusnacht was

CHAP. VIII.

avenged by the demolition of the Austrian castle of New Hapsburg near Lucern.

Zug received into the Confederacy.

While the best warriors of the forest cantons were absent on the defence of Zuric, the people of Schwitz were apprized, by the landing of a detachment of Austrians from Zug, near the village of Art,[7] within their boundaries, what dangers they had to apprehend from that quarter. The ancient town of Zug, founded by the Counts of Lenzburg, stands on a fertile spot, open on many sides, and hence secured by strong walls and ample towers: the surrounding hills were occupied by many barons and nobles, of whom a great number had accepted the freedom of that city. To an inveterate enmity that had long subsisted between the nobles and the citizens, had now succeeded an equal rivalry between the citizens and the inhabitants of the country; the latter, from a coincidence of manners, being, moreover, much more addicted to the Swiss than the townsmen. The Swiss, at this time at open war with Austria, resolved to secure this important frontier, which the duke thought of sufficient strength to require but a small garrison; and had accordingly placed in it only a few arquebusiers from Strasburg, who were more bent on spoiling the neighbouring country, than providing for the defence of the city.

Six hundred men from Zuric, and two thousand from the forest cantons, advanced suddenly towards Zug, and were immediately joined by the neighbouring country people. The Confederates declared, 'that they were far from intending to 'deprive the duke of any privilege or property, or the town 'of Zug of its established constitution; but that they were

[7] Near the head of the lake of Zug.

CHAP. IX.

'resolved to ensure the safety of their country: that a free 'access to the town of Zug, which they would maintain with 'all their might, would prove equally beneficial to its burghers, 'and productive of security to the Confederates; and that if 'the burghers refused to surrender, the Swiss must of neces-'sity compel them by force of arms.' The town, ill supplied with provisions, and no doubt distracted by internal factions, demanded, and easily obtained, a short truce. Herman, one of the principal burghers, was dispatched with all speed to the duke at Koenigsfelden, to solicit immediate succour: he urged his cause with much earnestness; but the duke glanced at him with an air of contempt, and instead of listening to his representations, kept conversing with one of his faulconers. Herman, disconcerted at this mark of neglect, did not conceal his emotion; but the duke told him, with cold indifference, that he might return home undismayed, for that all this mischief would be soon redressed. The burghers of Zug, on hearing this, admitted the banners of the Confederates into their city; and, reserving all the rights and revenues of the duke, swore to the Confederacy.

Albert, instead of engaging in a war merely for the reduction of Zug and Glaris, resolved to pursue a more extensive plan; and by collecting all the forces of his hereditary dominions and allies, to crush at once the audacious city of Zuric, and thereby deprive the Confederacy of all its vigour and renown. For this purpose he imposed heavy taxes on the clergy and aliens in his territories; and obtained auxiliaries from the Elector of Brandenburg, the son of the Emperor Lewis of Bavaria, the Burgrave of Nuremberg, the numerous branches of the house of Neuchattel, five bishops, many counts,

nobles, and cities of Suabia, Burgundy, and Helvetia; and among these even, in consequence of a previous treaty, from Berne and its allies, of the Oberland, Hasli, and other parts. The command of this army, consisting of thirty thousand foot, and four thousand spearmen on horseback, was given to Count Everard of Wurtemberg. Three weeks after the day on which the duke slighted the exhortations of Herman, this host took the field, and invested Zuric. After various alternate successes, the besiegers, although the country lay open before them, experienced a scarcity of provisions, which their great numbers rendered truly alarming. The Elector of Brandenburg was the first who perceived that this unwieldy and disjointed multitude would not avail against the unanimity and perseverance of the Confederates: he therefore offered to mediate an accommodation; but the negotiation had not proceeded far, when the Swiss, whose post was on a hill without the wall, saw one morning the whole country cleared of all their enemies, except the Berners, who, thinking such a clandestine retreat disgraceful, still occupied their camp. They, however, likewise, struck their tents in the course of the day, the success of the duke against Zuric being to them a matter of much indifference.

Peace.

The elector repaired to Lucern, and was there met by the plenipotentiaries of all the contending parties; and a treaty was concluded, which stipulated as follows.—'All prisoners 'shall be released, and all spoils and hostages returned by both 'parties: Lucern, Schwitz, and Underwalden, will continue 'to maintain the duke in the full enjoyment of all his rights 'and revenues in their countries: Zug and Glaris will pay 'him their wonted allegiance, and he will be their friend:

CHAP. IX.

'the Confederates will henceforth make no alliance with an 'Austrian town or country; and Zuric and Lucern will admit 'no subject of Austria into their burghership: Count John 'shall be released; and he, and the Counts Rudolph and God-'fried, engage to preserve peace and harmony with Zuric: all 'former alliances, immunities, and established regulations, shall 'remain inviolate.' All the parties gave to the elector attested ratifications of this treaty. Count John, after a confinement of two years and a half, was at length released; and the sixteen hostages were set at liberty. Ulric de Bonstetten had, in consideration of his aged and venerable mother, and at the intercession of the lady abbess of Zuric, and the abbot of St. Gallen, both his relations and namesakes, been released the year before. So opulent was this family that, after having defrayed all the losses occasioned by his imprisonment, Ulric was able to lend considerable sums to the Duke of Austria. Thus ended this war, occasioned by the conspiracy of the nobles against Brun, in which the duke shewed but little skill and vigour; and the Confederates, by their conduct at Ruti, Tatwyl, and Kusnacht, and by their equity in their treaties and alliances, have handed down to posterity unequivocal proofs of their valour, justice, and moderation.

Berne enters into the Confederacy.

This auspicious year was not yet closed, when the deputies of Uri, Schwitz, and Underwalden, the intrepid auxillaries at Laupen, and of their allies the cities of Zuric and Lucern, met those of Berne at a congress held at Lucern, and there, in order to prevent the Berners from being again compelled, by subordinate alliances, to take the field against the cantons, invited them to accede to their Confederacy. The following terms were proposed and instantly accepted. 'The Swiss of the

'three forest cantons shall be assisted by Berne, when, and in 'whatever manner they shall require: and the cantons reci- 'procally engage to defend the city of Berne, its burghers, 'co-burghers, fiefs, mortgages, and all appurtenances: the 'Swiss, when summoned, shall, without subsidy, march over 'mount Brunig into the vale of Unterseen: should this march 'not produce the desired effect, they will advance further, and 'Berne will pay to each man one groat Tournois: the ex- 'pences of such wars as shall affect both parties, shall be borne 'in common; and expeditions into the Argau, which ever be 'the summoning party, shall be defrayed by both:[8] no sub- 'sidy shall be given, if, while either party is waging war in 'the Oberland, the other advances in the low lands against 'an enemy. We, the Berners, promise to assist Zuric and 'Lucern, whenever required by our Swiss confederates: we, 'of Zuric and Lucern, promise that, whenever Berne shall 'be attacked, and its council shall send to the Swiss cantons 'for succour, we will, at our own expence, immediately march 'to its assistance: should a difference ever arise between 'Berne and the forest cantons, a congress shall be held at 'Kienholz:[9] each party shall name two arbitrators; and, 'should Berne be the complainant, its deputy shall choose one 'out of sixteen men proposed by the canton complained of; 'and these five shall decide, according to the established laws 'and equity, and upon oath: should the complainant be one 'of the three cantons, the same shall choose a senator of Berne

[8] The Dukes of Austria, the most powerful princes in the Argau, were then already considered as the hereditary enemies of this Confederacy.

[9] A castle and village near the head of the lake of Brienz, which have since been washed away by torrents.

CHAP. IX.

'as the fifth arbitrator. This league, reserving all previous 'alliances and privileges, shall be binding to us and our pos- 'terity for ever.'

Another War with Austria;

The duke, after having mourned for the loss of his consort,[10] sent to Zug and Glaris, and demanded, that at the next homage to be paid by them, they should formally renounce their leagues with the cantons. The Confederates intimated to them, that in the late treaty of peace, no mention whatever had been made of these leagues; and they accordingly made answer, 'that they were ready to swear allegiance conformably 'to the terms of the late pacification, and the existing laws.' The duke rejected this oath with scorn; reprobrated, at a diet at Worms, the insidious interposition of Zuric and the Confederates; and obtained from the princes of the empire a
1353. promise of support. The Emperor soon after being on a progress in these parts, came to Zuric, and the Swiss deputies resorted to his court to vindicate their conduct: they could not, it is true, exhibit many grants of privileges; those they claimed, they derived from nature, and their primitive manners, and were held by prescription from time immemorial. Attempts to encroach upon them had indeed been frequent, but they had always been repelled; nor could one instance be adduced of their having ever surrendered any of their inherent rights. All that the deputies therefore could lay before the Emperor was the authentic record of their Confederacy, which in no instance trenched upon the prerogatives of the duke. The Emperor advised them to send to the duke a formal declaration to that effect: this they complied with, but received

[10] Joan of Pfirt: he assigned her illness as the cause of his feeble conduct at the termination of the last war.

no answer. Differences like these, the objects of which are not some individual claim or privilege, but the limits of authority on one hand, and of freedom on the other, are seldom adjusted by negociation; the most candid and best informed often viewing the points in debate in different lights. An appeal will ultimately be made to the sword; and the party possessing the greatest share of dexterity and perseverance, and which knows best how to avail itself of opportunities, will seldom fail to compass its end. Albert had resolved to curb the power of the Swiss, in order, gradually, to reduce this whole country under his absolute sway: he laid on heavier taxes than ever had been levied before; and raised an army so numerous, that his object appeared far less to have been the subjugating of the Swiss, than a grand display of the magnitude of the Austrian power.

and with the Empire. 1354.

The Emperor, who celebrated the ensuing festival of Easter at Zuric, offered his award to both parties, as head of the empire. The duke, who could lose nothing by the acceptance, for nothing was ever intended to be taken from him willingly acquisced: and the Confederates likewise assented with the reservation, however, of their perpetual and inviolable league. This reservation, the more it was condemned by their adversaries, the more they insisted upon its being admitted as an indispensable preliminary. The Emperor irritated by the suggestions of the princes who surrounded him, declared, 'that the Swiss Confederacy was null and 'void; that members of the empire had no right to combine 'together without the consent of its supreme head: that he 'gave the Swiss two days to consider whether they would, in 'all things, comply with his proposed award.' The deputies

CHAP. IX.

hereupon deliberated which would be the most pernicious evil, the wrath of the Emperor, or the dissolution of their Confederacy; and at length resolved to send, in the name of the whole nation, an answer to this effect; 'that they were a 'plain, artless people, who did not understand nice legal dis-'tinctions; but that they considered an oath as sacred; and 'that accordingly, what they had once confirmed by oath, 'they were determined to maintain.' They tendered to the duke a fair compensation for all his rights and domains in their valleys, and agreed that the Emperor should name the equivalent; but the duke, who was inflexible in his purpose of making himself absolute master of this country, and thereby of the most convenient pass into Italy, scornfully rejected the offer. An Austrian army now passed the river Glatt, occupied Old and New Rapperswyl, both which they rebuilt and fortified; and from that central position cut off all communication through the pass, and greatly annoyed both the Swiss and the city of Zuric. Three weeks after this invasion came also the Emperor with all his princes, spiritual and temporal, and having joined the duke, encamped before Zuric. Four thousand Confederates were now besieged by five times that number of horse and infantry. The Swiss made many sallies, and meeting with men they knew, often parleyed with them, and discoursed on the origin and injustice of the war. The maxim which had been adduced, that members of the empire had no right to league together without the assent of its supreme head, offended many, and seemed to them wholly unfounded. These murmurs reached the ears of the Emperor, and it now occurred to him, that it misbecame him, as head of the empire, to wage war against any of its members,

CHAP. IX.

contrary to the opinion of the majority of its states: he publicly declared that, as this majority seemed to approve the reservation of the league demanded by the Swiss, he had no option left but to decide accordingly. The day after this declaration, the whole Imperial army struck their tents: they withdrew in such disorder, that none knew who went first and who last; and the confusion was greatly increased by their ceremonious contests concerning precedency. This, like most wars of the empire, was begun with great splendour and ostentation, carried on with feeble efforts, and terminated without any apparent necessity.

1355. While the Austrians, who continued the siege, repulsed the frequent sallies of the Confederates, a body of Hungarians, in the duke's army, committed such depredations on the inhabitants of both parties, that the whole country, exhausted and distracted, loudly called for peace; and the duke saw himself compelled to admit, at a diet at Ratisbonne, that the reservation of the league claimed by the Swiss, should be a preliminary of the future award. The Emperor upon this sent an instrument, purporting to be a declaration of the Confederates, such as would tend to pacify the duke. Austrian emissaries brought it, not to a general congress of the Confederates, but to the cantons separately. Brun, the Burgomaster of Zuric, called together a few senators, and signed it in the name of his city Thence they went to Zug and Lucern: at Zug the burghers observed in the countenances of the emissaries, who thought it needless to use much circumspection with so rude a people indications of duplicity which alarmed them; and raised a suspicion that some ambiguity was contained in the declaration, which might endanger the Confederacy: they sent a

An attempt to divide the Confederates.

CHAP. IX.

caution to the Landamman of Schwitz, who immediately warned the whole country not to sign the instrument, and summoned a general congress at Zuric. The deputies being met, those from Schwitz demanded, that the deed signed by Zuric should be laid before the assembly: they read in it as follows; 'All countries, people, towns, castles, and jurisdictions belonging to, or dependant upon us (the duke) which the Confederates have, during the war, alienated from us, they agree to restore, and wholly to relinquish;' (this manifestly related to the league with Zug and Glaris) 'and should any of the Confederates resist this restitution, the city of Zuric will join with us in order to compel them: all differences relating to our towns, or our forest cantons, shall be adjusted by a commissioner, who shall not be a confederate; and who shall be named by Austria and Zuric: we promise to defend Zuric against any attempt that may be made to molest the city in consequence of this agreement: all previous alliances, immunities, and privileges are reserved; but no engagement whatever with the Confederates, shall exempt Zuric from the observance of this compact.' All the deputies upon hearing this rose, and solemnly declared, 'that if this ambiguous clause had any indirect reference to their leagues with Zug and Glaris, they had been basely deceived; and that they were determined not to accede to it.' They moreover asked, what the duke meant, when he called them *his* forest cantons? 'Has any emperor or prince,' they added, 'ever conquered us? are we slaves? or have not our ancestors of their own accord accepted the protection, but never the sovereignty, of the empire? We are free, and know of no laws but those of our own making: we are

CHAP. IX.

'willing to trust our friends of Zuric; but wherefore the in-
'vidious distinction made between them and us? why shall a
'stranger, named by Austria and Zuric, determine respecting
'the concerns of our valleys?' They spoke with firmness and indignation. Brun answered, 'that he had no blame in the
'execution of the declaration: that when the Austrian emis-
'saries came, they pretended to be in so much haste, that he
'could not detain them; and that, therefore, with his wonted
'simplicity, he had subscribed the instrument: that, however,
'there was no cause for despondency; that some expedient
'might still be found to preserve the blessings of peace; and
'that an appeal, stating the unfairness of the proceeding,
'might be sent to the Emperor: that indeed the city could
'not revoke what had been formally confirmed in its name;
'but that this transaction should prove no ways detrimental to
'their union; and that their friendly intercourse should
'thereby suffer no manner of abatement or interruption.'
The confederates, upon this, resolved to send a remonstrance to the Emperor, who was then in Moravia; and waited impatiently till the next month of July for an answer. Zuric in the meanwhile entered into a defensive alliance with Albert, 1356.
the terms of which were of far greater importance than wa consistent with the stipulations of the perpetual league.

The Emperor at length sent a rescript ordaining, 'that the defeated by Schwitz.
'Swiss should on no account consider Zug and Glaris as their
'allies; and that their disregard of this injunction would
'expose them to his displeasure and resentment.' The confederates on hearing this menace met at Lucern; Zuric, in this momentous crisis, remaining neutral. The men of

CHAP. IX.

Schwitz stood up, and declared, 'that as to themselves, they 'positively rejected the clause as signed by Zuric; and that 'the consequences of this refusal they cheerfully committed to 'God, and their right arm.' Lucern, Uri and Underwalden, endeavoured to soften their firm resolve; but at length it was agreed by all, that the declaration should not be accepted until the words, *his forest cantons,* were expunged, and their leagues with Zug and Glaris formally acknowledged. An Austrian commissary came soon after to demand the homage of Zug and Glaris. These people answered, 'that until either 'the duke had confirmed their leagues with the Swiss Confe- 'derates, or these confederates had declared them void, they 'knew not in what manner to swear allegiance.' This demur, however, would soon have yielded to the menaces that were thrown out by the Austrians, had not the Schwitzers seasonably interfered. Being apprized of these proceedings, they declared, 'that no one, in fact, could penetrate the intentions 'of the duke; but that all knew that the leagues with Zug 'and Glaris had been solemnly confirmed by oath, and ought 'to be maintained: that these leagues therefore they were 'firmly resolved to vindicate, either jointly with their confe- 'derates, or by themselves.' They summoned Lucern, Uri, and Underwalden; but these proved tardy. Caution before, and celerity after a resolve, constitute true policy. The Schwitzers marched without delay under the banner of their forefathers, and entered Glaris and Zug. Reciprocal engagements of perpetual union and mutual defence, were here renewed, and confirmed by oaths: the duke's commissary perceiving that neither force nor cunning could

prevail, discontinued his efforts; and the Schwitzers, having thus achieved their purpose, returned into their valley, fearless and contented.

Truce of Thorberg. 1358.

Several neighbouring lords and cities, weary of incessant alarms, and among these the Baron of Thorberg, one of the principal administrators of the Austrian dominions in Helvetia, soon after this, mediated an armistice.[11] Albert's temper, as well as constitution, were now rapidly yielding to his cruel disorder: he refused to give audience to the deputies whom Zuric some time after sent to his court; and his son Rudolph gave strict orders that the name of the Swiss should never be mentioned in his presence. Pain and petulance had now rendered his life loathsome to himself, and burthensome to others. At length he expired at Vienna, in the seventieth year of his age, and the fiftieth after the assassination of his father: his confidential counsellors were immediately dismissed.

Brun's Death.

Rudolph Brun likewise lived to see the downfal of his fame and consequence. After having compassed the important object of a league with the confederate cantons, he sanctioned the odious declaration which directly militated with the spirit and tendency of that very Confederacy; and, swayed by selfish motives, he entered into a secret engagement with the duke, 'to serve him and his delegates during life; and, to 'use his best endeavours to promote his interest in every 'emergency: to be ever true and subservient to him; not 'indeed against the Emperor, the city of Zuric, or the confe-'derates; yet with a reservation not to be deterred by the

1359.

[11] For eleven years; and to continue in force after that term, till one month after either of the parties shall have declared it void.

CHAP. IX.

'Confederacy from complying with the award the Emperor 'might issue respecting the privileges claimed by the cantons.' This compact they mutually agreed to keep a profound secret. Brun made these disgraceful concessions in return for an annual stipend of one hundred florins, the sum of one thousand florins to be paid him out of certain revenues at Glaris, a place in the privy council of the duke, and a promise of his protection against all adversaries. This is the last instance, upon record, of his sordidness and perfidy.[12] His address, and the good fortune that attended him in the administration of his city, might have raised him to some eminence among the more distinguished characters in history, had he not, from mean ambition, prefered temporary and precarious popularity, to the more lasting fame and conscious satisfaction, derived from genuine virtue and true patriotism. Since the day of Tatwyl, the popularity to which he had sacrificed his honour, gradually declined: and yet to this man must be ultimately ascribed, the fortunate events by which freedom became firmly rooted in the Swiss cantons, and Helvetic valour spread its fame throughout the neighbouring countries; and by means of which, the solemn league of the eight ancient cantons obtained its solid footing, which gradually led to the more extensive fabric of the general Confederacy, the source

[12] He is said by some to have died on the 18th of September, 1360: but he became so obscure in his latter days, that the date of his death appears not to have been accurately recorded. Leu, art. Brun, places it so late as the 1st of October, 1375, and says, that he resigned his office in 1361. If he really lived to the most recent of these dates, he actually survived the ignominious banishment of his whole family, not only from Zuric, but also from the territories of the whole Confederacy. See the next Chapter, p. 266.

of abundant comforts, which have blessed a long series of happy and grateful generations.

That the character of a great man so seldom coincides with that of a good man, and that the most important events are most frequently derived from unforeseen, and often trivial causes, are no doubt evincing proofs that the scales of our destinies are held by a power whose decrees far exceed our narrow comprehension: and yet men of energy must not suffer these perplexing considerations to enervate their vigour. Let them reflect, that the powers of men are instruments in the hands of the Supreme Being, which they are bound to exert, although they be applied in ways incomprehensible to their limited capacities; and that after all, the consciousness of an Erlach, or a Manesse, is a far greater recompence, than the most splendid triumphs of a man like Bru

## CHAP. X.

### *Wars with the Nobles.*

CHAP. X.

THE Helvetic Confederacy having now acquired not only a name, but also a decided preponderancy among its neighbouring states; and it being sufficiently obvious that the tendency of its spirit was to wrest the supreme authority out of the hands of the great lords and princes, whom long habits of uncontrouled dominion had taught to abuse it; and to transfer it to the people, whose independent ardour was still tempered with moderation; it may well be imagined that there would be a period when, the powers of the two rival parties being nearly equipoised, the struggles between them would be equally obstinate and desperate. This period appears to have been the present, when all the Helvetic, and most of the Germannic sovereigns and nobles, drew out their most select and united forces against the spreading evil; but saw their purposes ultimately defeated. Such was the test requisite to prove the stability of this, till of late, invulnerable Confederacy.

The accessions made to the Helvetic body at large, and to some of the cantons in particular; and the many transfers of property that took place about this time, which cannot but have roused the apprehension, and urged the resentment of

the nobles, call for a short survey of the state of Helvetia during the truce of Thorberg.

State of the Confederacy.

The people of the three forest cantons, Schwitz, Uri, and Underwalden, whose confederacy bears date from the most remote period of their existence, and was framed long before they knew how to commit it to writing; this tribe, the true ancient Swiss, who met at Rutli, fought at Morgarten, and diffused their independent spirit, together with their league, over many adjacent towns and districts, were the only people who had formed equal ties with all the confederates. There was no immediate compact between Berne, Zuric and Lucern; none between Berne, Glaris and Zug; and Glaris and Lucern were wholly unconnected. The three forest cantons were then, and have ever since been the link that united this Confederacy, the sole object and fundamental principle of which was independence: this independence once secured, they were wise enough to perceive that, provided each state was allowed to frame its own laws, and superintend its own concerns, it mattered little by what mode of government it secured its peace and prosperity: and hence the variety of constitutions that has at all times diversified the Helvetic body; its provident leaders having ever considered, that innovations which may be avoided, are generally productive of greater evils, than even moderate imperfections.

Accession of Gersau, &c. 1359.

The shepherds of Gersau, who, in summer, fed their cattle on mount Riggi, and met on Sundays at a church they had erected on an alluvion on the lake of the forest cantons, at the foot of that mountain; and who, in winter, resided with their cattle in about forty wooden huts they erected round that church, had been originally subjects of the abbey of Muri,

CHAP. X.

and since of the Counts of Hapsburg, as advocates of that abbey. One of these counts, urged by pecuniary necessities, transferred them, either by sale or mortgage, to the noble family of Moos, in Uri. Weggis, another small township, of the same description, had in like manner been alienated by Hapsburg to the Lords of Hartenstein at Lucern. These, and other yet smaller communities on the lake,[1] roused by the spirit of independence that surrounded them, and resolved to share in the blessings it confers, formed as close a compact with the four forest cantons as their condition would then admit: but, that no feudal claims might clash with this alliance, they agreed to hoard, with the utmost thriftiness, all they could spare out of the produce of their cattle, and to tender it for their absolute emancipation. The men of Gersau went to their lords with the produce of ten years rigorous economy, and readily obtained their franchise.[2] This sovereign state, perhaps the least that ever existed,[3] has ever since been a constituent part of the Helvetic body; and its interests have been at all times as anxiously consulted as those of the largest canton: such chances had the feeble, in this Confederacy, of meeting with justice and protection.

The three sons of Rudolph Brun, Bruno provost of the minster, Hertegen, and Everard a senator, still maintained an

[1] Hergiswyl and Alpnach having purchased their independence, were incorporated into the cantons of Underwalden; Weggis became a district of Lucern. Several considerable families in Uri also, about this time, redeemed their independence from the abbey of Wettingen.

[2] This purchase does not appear to have been completed till the year 1390.

[3] It consisted of less than five hundred males: it was governed by a landamman, and nine senators or jurors, in a perfect democratic form; no doubt a good one for a state of these dimensions.

CHAP. X.

influence, not over the people, but over the magistrates of Zuric, who, perhaps, had not yet forgotten to whom they owed their elevation. An act of violence the family of Brun committed upon the avoyer of Lucern, and which the senate wanted either the means or inclination to chastize, irritated the burghers, who held a meeting, caused the injury to be redressed, and abridged the senate of some of its powers. The Provost Bruno, however, opposed the decree of the burghers, and gave occasion to another meeting, to which were summoned the deputies of the forest cantons and Zug; and where a formal agreement was entered into, which, as it chiefly related to points of ecclesiastical discipline and prerogatives, obtained the name of the Priest's Ordinance.[4] It stipulated, 'That the people would strenuously maintain their laws 'against all foreign power, whether public or private, civil or 'ecclesiastical: that all nobles and plebeians, priests and 'laymen, dependant on the house of Austria, should, as long 'as they resided within the cantons, engage by an oath, more 'binding than any other oath, to promote the honour and 'welfare of the Confederacy: that all appeals to foreign 'tribunals be strictly prohibited: that the clergy abstain 'from pronouncing in their own concerns, even in canonical 'matters, if they had any reference to temporalities: that 'every priest who shall transgress this ordinance, be debarred 'all the comforts of society, and declared out of the protection 'of the laws: that all the roads and avenues from the foaming bridge[5] to the city of Zuric, be kept perfectly open and 'secure for travellers of all descriptions: and that no one, not

Priest's Ordinance. (1370.)

[4] Pfaffenbrief.

[5] *Staubende brucke*; a name, sufficiently descriptive of the Devil's bridge, on mount St. Gothard.

CHAP. X.

'duly authorized by his magistrates, dare to distrain, or other-'ways invade the property of another.' This ordinance, the charter, or declaration of the Helvetic liberty, against the undue influence of the clergy, was moreover, in its very brevity and simplicity, the code which restrained all public and private injuries, and regulated the internal economy of the state. Its object was, that every individual be perfectly secure in his person and property, as long as he obeyed the laws: and that, by the facility of communication, means be afforded him to increase his profits by industry and commerce.

Brun's Family disgraced.

The Provost Bruno, who had given too many proofs of his untoward disposition, to admit a hope of his yielding to any salutary regulation, was, with all his abettors, banished from Zuric for ever. His mother, and his brother Everard were convicted soon after of having been accessory to the murder of a near relation, who was coming from Uri in pursuit of a claim. The magistrates of Zuric were still remiss; but not so the people of Uri. These held a general assembly, and decreed, that Everard Brun, his mother, and all their accomplices and associates, should be for ever banished from the territories of the Confederacy. This sentence was executed; and thus
1373. ended the short-lived and inglorious celebrity of the name of Brun.

Feud of Rinkenberg.

The people of the Oberland, in the full enjoyment of perfect security, felt likewise a progressive increase of prosperity, which soon enabled them to profit by the necessities of their lords, and to purchase various franchises, in many cases bordering upon absolute independence. Those of Brienz and of Oberhasli bore, with more than ordinary reluctance, the supremacy of the Lord of Rinkenberg, whom they

taxed with having annexed to his private demesnes, what he ought to have held as imperial dependencies. Philip, the present lord, had moreover some personal enemies in Underwalden, who fomented the spirit of dissatisfaction, and openly favoured an application made by his people to that canton for (1353.) support against his authority. The wisest among the men of Underwalden insisted that, as the Lord of Rinkenberg was a burgher of Berne, his subjects ought to lay their complaint before that city; and that, at any rate, they themselves ought by no means to interfere in the domestic disputes of neighbouring states: but the young and audacious prevailed; and the insurgents were encouraged in their contumacy.

Berne meanwhile, which always aided the lords when they were co-burghers, and the people when their lords were at variance with the city,[6] sent to dissuade the Underwalders from proceeding in this affair. After much obstinate and fruitless altercation, and even various acts of violence, in one of which Rinkenberg was surprized on a fishing party, and brought prisoner into Underwalden, a congress of the whole Confederacy met, which condemned the conduct of the canton, and ordered the immediate release of the captive lord, and an adequate indemnification for the damages he had sustained. 1381. The misguided people, having recovered from their delirium, further decreed the exclusion of three of their most pernicious demagogues, and of their whole posterity for ever, from all offices in the canton. Such was the termination of this feud,

[6] It is possible that Berne may, in all its contests, have meant to espouse the cause of justice; but it is very unlikely that justice, and the interests of the city, should at all times have coincided so invariably as they are reported to have done. Interest and prejudices may warp the judgment of a senate, as well as of an historian.

CHAP. X.

which might have endangered the very existence of the Confederacy; and which was not so trivial, but that it evinces what vital strength, towards its own preservation, this body politic had already acquired, at this early period.

Zuric

Zuric, under Roger Manesse, successor to Brun, preserved the spirit and energy that becomes free cities. The Emperor Charles the Fourth confirmed by charter to the burghers, the sovereignty of the lake as far as Rapperswyl; and granted various privileges to them as well as to the minster. The city likewise purchased some imperial fiefs in their vicinity,[7] as well as various tolls and mortgages: they strengthened themselves by the reception of powerful co-burghers:[8] the constitution received additional freedom and vigour by certain limitations prescribed to the power of the burgomaster,[9] and some increase of authority vested in the tribunes. Sumptuary laws, which extended not only to articles of apparel, but also to the festivals, public ceremonies, and the morals of the people, were enforced, perhaps with more severity than wisdom; since it is much easier to govern a cheerful people, than one that is rendered sullen by frequent restraints upon the gratifications of fancy.

Basle. (1356.)

A catastrophe befel the city of Basle, which, without the means of restoration it owed to its free government, would probably have obliterated its name from the face of the earth. On the eighteenth of October, at ten at night, the whole city,

[7] Trichtenhausen, Zollikon and Stadelhofen, 1358; Kusnacht and Goldbach, 1383.

[8] Two Lombards (del' Montes) paid one thousand florins for admission into the burghership of Zuric.

[9] His casting votes were taken from him.

CHAP. X.

the largest and fairest of Helvetia, most of its churches and convents, the palaces of the nobles, its strong walls and massy towers, were on a sudden thrown down by a tremendous earthquake, which was succeeded by a spreading conflagration, that raged for many days among the scattered ruins. Upwards of three hundred inhabitants perished in these ruins: eighty-four castles in the bishopricks of Basle and Constance were likewise demolished by the same concussion. One of the counsellors of Duke Albert intimated to his sovereign, 'that Nature had now opened a free passage for him 'into the city of Basle;' but the duke exclaimed indignantly, 'God forbid that I should strike those whom the hand of the 'Almighty afflicts;' and sent four hundred men from the Black Forest to assist in clearing away the rubbish. Some of the burghers recommended building the new city on another site; but the greater number resolved to continue with cheerful confidence on the spot, where, until this calamity, their ancestors had dwelt and prospered during a long series of thriving generations. After a few years, they not only restored the walls and principal edifices, but the city had already recovered such affluence, as to enable it to assist the duke with an ample loan of warlike implements. [10]

Berne. The Emperor Charles the Fourth, who was ever disposed to confer imperial privileges, when he could thereby promote his private interest, or aggrandize his family, came twice to Berne [11] with a large retinue, and was splendidly entertained (1365.) by the avoyer [12] and senate. In return, he granted to the city

[10] A deed of Archduke Leopold, of the year 1371, acknowledges a debt for this loan. [11] In his way to, and on his return from, the Papal court of Avignon.

[12] John de Bubenberg the younger.

CHAP. X.

the right of redemption of all the mortgaged revenues of the empire within six miles of its walls, castles and manors excepted; the criminal jurisdiction within three miles, and the unlimited right of repelling force by force, without any appeal to his aulic courts.

Count Peter of Neuchattel mortgaged, about this time, to Berne, his share in the lordship of Arberg, the remainder of which the city soon after acquired from the other proprietors of the houses of Nidau and Kyburg. For the government of these districts, the bannerets were authorized to propose such of the senators or burghers as appeared to them best qualified for the stations: and hence the origin of the bailiwicks, which, consisting of districts purchased by the contributions of the burghers, they considered as their absolute dependencies; and whose administrators, as long as their choice depended upon favour, have at times incurred a censure, which was not always unmerited; few things on earth being perhaps more rare, than men who may be trusted with power. None of these new acquisitions were, however, deprived of any of their previous rights or immunities: freedom still prevailed in all of them; for that country will ever be free, whose rulers have no hired soldiery, but can only use the arms of the people. Berne also purchased twelve villages in its vicinity;[13] and continued to spread its influence by the accession of powerful co-burghers: it strengthened its ties with Friburg, and entered (1351.) into so close an alliance with Soleure, that even the empire was only ostensibly reserved. But John of Vienne, Bishop of Basle, did not behold with indifference the renewal of the

[13] Four from the Lord of Brandis, in 1352; and eight from the convent of Friesingen, in 1380.

CHAP. X.

league between Berne and his town of Bienne, which, from being decennial, was now rendered perpetual.

War of Bienne.

Bienne, mount Tessenberg, and other neighbouring districts, had long since been transferred to the see of Basle by prelates of the house of Neuchattel: but all their military concerns had been either reserved to their kinsmen, the Counts of Nidau, or committed to the bannerets of the towns of Bienne and Neuville. Some jurisdiction had also been vested in the stewards of Nidau; and considerable rights and immunities had, moreover, been ceded to the people, whose spirit, like that of the burghers of all the other cities, was now rising to a pitch of energy the strictest laws could scarce control. Bienne was allied with Berne, Friburg and Morat; and so connected with the Counts of Nidau and Granson, that the influence of these lords, though perhaps not accurately defined, was yet equally manifest and effective.

Such was the state of this district,[14] when John Bishop of Basle came to Bienne, and insisted on the repeal of the alliance of that city with Berne. Against this the burghers solemnly protested; and alleged their avowed privileges, and a fifteen years silent acquiescence of the former bishop: but the irritated prelate, equally unacquainted with the complicated constitution of this town, and with the power of Berne, proceeded to acts of open violence; and in defiance of long established immunities, seized on several of the principal burghers, and confined them in the castle. Bienne upon this summoned Berne: Berne sent to the confederates; and their combined power approached without delay. The bishop, indignant at the unlooked-for resistance, sent all his forces to

[14] The Nugerol.

CHAP. X.

reduce the refractory burghers. The town was sacked and burnt; and the confederates arriving soon after, took and razed the castle, and freed the prisoners: they advanced thence into the Erguel, and were joined by some auxiliaries from Soleure. The bishop made a stand at the pass through a rock, formed by nature, and widened by the Helvetii, when Aventicum and Augusta Rauracorum were still flourishing;[15] but here he was worsted, and fled: he attempted a diversion towards the Aar, but was stopped at Olten, both by an inundation and the arms of Count Rudolph of Nidau, who saw the ruin this extravagant war threatened to bring upon his country. At length, after much havock and devastation, all the neighbouring lords and cities intervened, and arbitrators
1368. met at Balstal, who effected an accommodation. The city of Berne, because it had violated the laws of war by demolishing churches, was enjoined to pay an indemnification of thirty thousand florins. The whole revenue of the city, at this time, did not exceed two thousand livres.[16] It is hence scarcely conceivable how such a state submitted to such an award. Murmurs, and even public censure, were not wanting among the burghers; and the constitution, perhaps, owed its preservation to an intermediate state, which tempered the violence of the opposite parties. The great council proceeded to some acts of rigour; banished one of the Diesbachs, and

[15] Pierre-pertuise.

[16] Berne currency. The value of this livre at present is about 16¼*d*. The progressive variations in the coinage and currency of Swisserland, is too complicated a subject to be attempted in this history: those who may be inclined to unravel the chaos, will find much useful information in the unfortunate Waser's Treatise *on Money*.

several burghers of note; but paid to the bishop scarce the tenth part of the stipulated fine, alleging, that the dissatisfaction of the people did not permit them to disburse a larger sum. The prelate, on the other hand, saw himself, by this rash war, reduced to the necessity of alienating the best part of the domains of his bishoprick.

St. Gallen.

The town which gathered round the abbey of St. Gallen, as well as that of Appenzel, both owing their existence to that abbey, rose now to such a degree of prosperity and spirit of independence, as rendered them impatient of control, and obstinately bent upon the maintenance of what they deemed their ancient and natural rights. The misfortunes of the Abbot William de Montford, and the feeble administration of Hildebold de Werdstein, his successor, favoured this disposition, and gradually loosened the ties of love and veneration, the best props of ecclesiastical authority. The next abbot, however, Herman de Bonstetten, soon recovered a personal ascendency by his mildness and integrity: by his courage and conduct he likewise obtained the friendship and confidence of the Emperors Lewis the Fifth, and Charles the Fourth; and by his equity, disinterestedness and public spirit, he moreover gained the general reputation of a wise and magnanimous prelate. He granted several privileges to both the towns; and having greatly promoted their welfare, he died, and was consigned to his grave amid the undissembled tears of his people, the most eloquent panegyric of a departed prince. In all future contests between this people and the abbots, the former only stipulated, that their condition might be such as it was in the days of Bonstetten. The burgomaster, bailiff, council, and people of St. Gallen, agreed with the Abbot George de

CHAP. X.

Wildenstein, that he should continue to name the counsellors, and appoint the bailiff; that all causes relating to property and feudal concerns should be tried in his court; and that in all matters of taxation, or personal services, the administration of Bonstetten should ever be considered as a precedent. The small country of Appenzel[17] entered soon after into a league, which thirty-two imperial cities, and the Princes of Bavaria, the Palatinate and Baden, had newly established against unlawful oppression: and a difference that arose sometime after between the people, and the Abbot Cuno de Stauffen, was amicably adjusted by this league. Thirteen jurors continued to assess the capitation, and otherwise to direct the municipal affairs of these four petty communities.

Rhætia.

No traces are extant either of the freedom of the people of Rhætia, their power, or degree of subjection, in these remote and obscure times. The Bishops of Coire appear to have had no small difficulty in maintaining a superiority, which they probably owed chiefly to the sanctity of their character. Bishop Ulric of Lenzburg, a man of exalted virtue and dignity, and his successors, Peter and John, procured several valuable asquisitions to the see, both by gift and purchase; but the Counts of Werdenberg, the Barons of Razuns, the Lords of Belmonte and Remus, occur incessantly as powerful chiefs, who laid claim to the most ample share of authority and independence.

The Pays de Vaud.

All that Savoy possessed in the Pays de Vaud devolved, after the death of Count Lewis, the father of John who met his early fate at Laupen, to his daughter Catherine, whose third

[17] Consisting of the communities of Appenzel, Hundwyl, Tuffen and Urnæsch.

husband was William Count of Namur. It being in those turbulent times, scarce possible for the same sovereign to govern such distant provinces as those now possessed by William, he readily consented to alienate the Pays de Vaud to Amadeus of Savoy, surnamed the Green Count; who moreover soon after, under the auspices of the French king, whom he, with several of the nobility of that province,[18] had served in his wars against the English, obtained other parts of the same country, which had by another heiress of the house of Savoy,[19] been transferred to the Dauphins of Vienne; as also the paramount supremacy over the Counts of Geneva. Lastly, (1355.) to the Emperor's wonted liberality, he was likewise beholden for the Imperial Vicariat in Upper Burgundy, together with various important privileges and immunities, from which his power soon derived an almost unlimited superiority. The Green Count might well upon this accompany the Emperor to the abbey of St. Maurice, and present him with the head of King Sigismund of Burgundy, who, eight centuries before, had by his indiscretion brought ruin upon his kingdom, and final destruction upon himself.

CHAP. X.

Two reasons contributed essentially to the prosperity of the Pays de Vaud, even in the disordered times of the middle ages. The weighty influence of the states, which restrained every undue attempt of the prince; and the reputation of the nobility at different courts, with which they were connected by manifold combinations of feudal tenures and various other ties. William de la Baume, a meritorious knight, was

[18] The Lords of Nidau, Blonay, Goumoens, &c.

[19] Beatrice, the daughter of the renowned Count Peter, the contemporary of King Rudolph of Hapsburg.

CHAP. X.

equally the friend of the count his sovereign, and of his country: William de Granson, eminent as a warrior from the Rhone to the Euxine, was on his domains a just and provident economist, at the courts of monarchs an accomplished nobleman and able counsellor, and at Berne a highly respected coburgher; Thomas his grandson, and his posterity have since been honourably distinguished in England: the Montfaucon's, and many other names equally illustrious, claim the gratitude of the people, and the approbation of posterity. Such was the Pays de Vaud under the Green Count. In its manners and civil institutions it still breathed the spirit which the Burgundians and Franks had long since diffused in it: for notwithstanding the frequent changes of the reigning dynasties,[20] the political relation between the rulers and the people suffered far less variation than might have been expected. All Europe was free as long as the princes, for want of a military force at their sole disposal, could take no important step without the concurrence of their lords spiritual and temporal, and a selection of the commons.

Neuchattel.

The Counts of Neuchattel had, by various inheritances, obtained dominions which extended along the lake of their name, and that of Bienne, down the Aar, and up the Sil as far as the forest cantons: but their government was greatly obstructed by a multiplicity of feudal restrictions, which prevailed in almost every district; and the lustre of that house was still more obscured by the circumstance, that the best

[20] I. The Kings of the Franks, to 879 or 887: II. The second kingdom of Burgundy, to 1032: III. The Emperors of the Salic line, the Dukes of Suabia, the Counts of Upper Burgundy, to 1127: IV. The Dukes of Zæringen, to 1218: V. The delegates of the Emperor Frederick the Eleventh: VI. The house of Savoy.

CHAP. X.

part of its possessions were held under the Burgundian, and not the Salic law of inheritance; by which means the alienations by heiresses became so frequent, that the male line was often left almost destitute of territories. This happened more particularly on the demise of Lewis, the last count of the principal line, when Isabella, his eldest daughter, transferred the right to his rich inheritance to Rudolph Count of Nidau, one of the wards of the great Erlach. The male line centered now solely in John of Valengin, whose son Peter sold Arberg to Berne. 1373.

The House of Austria.

Duke Albert of Austria, the grandson of the great Rudolph, left four sons, of whom only Rudolph the eldest was of age, on his demise. This youthful prince, of a graceful figure and engaging manners, had been educated by Ulric Count of Schaumburg, a man of a fervid imagination, who, refining upon the religion of his days, considered men as a temporary emanation of the godhead,[21] to which, after the end of its earthly thraldom, it reverts and remains for ever united. In the contemplation however of the sublime dignity of human nature, it seems to have escaped him, that so exalted a being as man ought to be just and honourable: he used his influence for the purpose of extortion, and loaded his vassals with heavy services towards the building of his towns Efferding and Pewrbach. His pupil gave early proofs of the proficiency he had made under such a master. Margaret Maultash, the heiress of the county of Tyrol, who was equally deformed in body and in mind, had taken offence at a near relation, to whom, after the death of an only son, she proposed to make over her dominions. Rudolph, apprized of this, hastened, in

[21] The Αἰὼν in the language of the Gnostics.

CHAP. X.

the depth of winter, over snowy precipices, and almost impracticable paths, to her residence at Inspruck: he found means to persuade her that she was handsome and amiable, and that there was nothing on earth he prefered to her delightful converse: he thus gained upon her affections, and obtained from her, and under her sanction from the states of the Tyrol, a formal grant of that important province, for himself and his heirs for ever.

Rudolph assumed the title of Palatine Archduke of Austria. So little was he awed by the clergy, that he publicly declared he would be Pope in his own country. In one of his progresses into Helvetia, he purchased from the Count of Hapsburg Lauffenburg, the town of Old Rapperswyl, and employed able artists to throw a long bridge across the lake, under pretence indeed of facilitating the pilgrimages to Einsidlen, but, in fact, to become master of the waters on the
1385. great communication between Germany and Italy. He died suddenly at Milan, either of a fever, or from the effects of poison. Queen Agnes of Hungary, the stern avenger of her father's death, had died not long before, at Koenigsfelden, in the eighty-fourth year of her age. When she had received the extreme unction, she declared to her attendants, 'that 'every stain had now been wiped away from the mirror of 'her soul:' she abounded in worldly wisdom; and notwithstanding the reproof of the hermit who declined visiting her abbey, she preserved through life the fame of most exemplary piety.

Frederick the eldest brother of Archduke Rudolph died also at an early period: Albert and Leopold, the younger brothers, survived; the former, of a mild studious disposition;

the latter, impetuous and martial. They agreed to share their dominions; and the Argau, Kyburg, Alsace, and all the Suabian territories fell to the lot of Leopold: the Tyrol they agreed to hold in common.[22] The sons of Rudolph had at different times also purchased the Seigneuries of Burgdorf, Thun and Oltingen; and had availed themselves of the distresses of John of Vienne, Bishop of Basle, to obtain from him the mortgage of the town of Little Basle, opposite to the city of that name, which to them was an important station, as it connected their dominions on both sides of the Rhine. In the year when the archduke died, the burghers of Zuric being called upon to renew the truce of Thorberg, alleged that Austria had infringed upon their rights, by the tolls laid on at the bridge at Rapperswyl, by lowering the value of their coins, and other acts inimical to the interests of their city: they did not openly decline, but they endeavoured to evade the renewal of a truce, which in truth was the act of the treachery of Brun, and not an error of the city.

Recapitulation.

The cities of Basle, Shaffhausen, Soleure, Lausanne, Sion and St. Gallen, were at this time making rapid strides towards absolute freedom. The country of Appenzel acknowledged scarce any dependance. The religious awe that maintained the authority of the Bishops of Coire, Sion, Lausanne, Geneva and Basle, and the Abbot of St. Gallen, was yielding, less to the rapacity and misconduct of the Roman Pontiffs, than to the frequent schisms that distracted the hierarchy. The great lords, in their necessities, often encroached upon the wealthy abbeys; and even the peasantry, stimulated by the

[22] In a subsequent division Albert retained only Vienna and Austria.

CHAP. X.

example of their superiors, and the prospect of impunity, shewed themselves refractory to the services exacted from them under the plea of vassalage. The church was now assailed both by infidelity, which was making rapid progress in Italy, and a mystical devotion, which found its way into some convents, but prevailed chiefly among pious laymen. The power of many ancient lords[23] meanwhile felt the impression of the rapid aggrandizement of the houses of Austria and Savoy.

Expeditions of Cervola; 1365.

Several of the martial bands of various nations, who, under Edward the Black Prince, had gained the battle of Poictiers, being now, during a pacification betwixt England and France, destitute of employment and maintenance, wandered through the dominions of different sovereigns, in quest of adventures and sustenance, headed by Arnold de Cervola, a nobleman of Perigord, surnamed the Arch-priest of Verny. Pope Innocent the Sixth trembled at their approach, and proclaimed a crusade, in hopes of directing this dangerous host against the Osmans. They spread from Treves, along the Rhine into Alsace, and amidst horrid depradations, reached the walls of Basle, scarce yet rebuilt after the late catastrophe. The Basilians, though not allied with the Confederates, sent notwithstanding to solicit their aid. In a few days came fifteen hundred men from Berne and Soleure, who demanded the post of danger; and soon after arrived also three thousand chosen warriors from the forest cantons, Zuric, Zug and Glaris. Cervola hearing of these reinforcements, and aware what men he would have to contend with, if he ventured an attack on Basle, gave up the attempt, and drew off his forces towards Metz.[24]

[23] Neuchattel, Montford, &c.

[24] He died in Provence, in 1366.

CHAP. X.

and Coucy. 1375.

But a storm yet more formidable threatened soon after from the same quarter. Ingelram de Coucy, Count of Soissons and Earl of Bedford,[25] came with a powerful host to the Rhine, to claim the marriage portion of his mother Catharine, daughter of Duke Leopold of Austria, who was defeated at Morgarten, which had been assigned her upon various districts and castles in the Argau and Alsace, and which the Austrian princes were unwilling to forego. Coucy's fame in England drew round his standard great numbers of the English warriors, who, in the old age of King Edward, and the declining health of his heroic son, were now without opportunities of exerting the martial spirit of which they had given so many splendid proofs in their late successful wars. Although joined by many from Flanders and Upper Burgundy, they were however called the English bands; the pre-eminence being given not only to numbers, but also to the renown already acquired in arms. Coucy, in the prime of life, full of ardour and resentment, at the head of fifteen hundred helmets, and of an army which often amounted to forty thousand men, seemed irresistible. Jevan ap Eynion ap Griffith, a descendant of the British chiefs who, nine centuries before, had withdrawn over Snowdon from the treachery of the Saxons, Jevan ap Velcaib another Cambrian, de Frant, and other warriors of eminent renown, commanded under him. The English, upwards of six thousand in number, shone in bright armour, gilt helmets and high crowned hats of

[25] One of the first nobles of Normandy: he had been sent into England as a hostage for King John, where his eminent qualities soon ingratiated him at the court of Edward the Third, who conferred on him the titles of Soissons and Bedford, and gave him his eldest daughter, Isabella, in marriage.

CHAP. X.

iron:[26] they were well mounted, richly clad, and splendidly equipped: they committed no ravages, took nothing from the peasants except bread and wine, gave safe-conduct to all who applied for it, enforced strict discipline among their inferior attendants, and, except to fathers and husbands, who had to lament the effects of their gallantry, they gave no just cause of complaint to the people who felt their power.

Duke Leopold, terrified at this unexpected inroad, laid waste the country around him, shut himself up at Brisach, and sent to the Confederates for assistance. These held a diet, in which the men of Schwitz declared, that they saw no reason for exposing themselves in the cause of the duke, who had never shewn them any kindness, against a distant leader who had never done them an injury: that they trusted they would be able to repel the attack of either party, should it offer to molest them. The deputies of Zuric and Berne, on the other hand, maintained that as the war, which would probably reach the Argau, would necessarily endanger their open frontiers, they ought, in order to secure those frontiers, to afford assistance to the duke. The truce of Thorberg was upon this renewed; and Berne in particular armed with great speed and alacrity. Such divided councils were contrary to the spirit of the Confederacy, of which unanimity was the soul and essence; and the defence of the whole ought ever to have been considered as the indispensable duty of every component part.

Coucy reached the walls of Basle; the banner of Zuric, advanced to the village of Sur in the Argau, and a strong

[26] The Germans called them *Guggle bats*, whence the whole army obtained the name of *Gugglers*.

body of Berners joined Peter de Thorberg, governor of the duke's hereditary dominions in these parts, at Hetzogenbuchsee: but the numbers and prowess of the invaders, who had now reached the Aar, having struck terror into all the inhabitants of the open country; the troops also declined the contest, and returned to their respective homes. Even the duke, despairing of personal safety, fled from the dangerous conflict. Coucy marched by Soleure, and occupied many of the ample villages on the Aar, between Buren and Olten. Rudolph Count of Nidau, the ward of Erlach, met him at Buren, and offered resistance; but having raised his helmet, he received a shot, which at once terminated his life, and his illustrious race.[27] Coucy removed his head quarters to the abbey of St. Urban: his men, hard pressed for sustenance, were now reduced to the necessity of committing depredations. Helvetia was then, as it will ever be, unable to maintain a foreign army. They demolished many castles, and ravaged the open country from the lake of Neuchattel to the gates of Zuric, and the inlets of the forest cantons. A famine ensued; and such was the general desolation, that towns not of the least order, were not secure against the attacks of ravenous wolves.

Among the mountains that decline from the higher Alps towards the Argau, are two contiguous districts, the Russwyl and the Entlibuch; the inhabitants of which, a tall, robust,

[27] His widow, the heiress of Neuchattel, retained the lordship of Erlach as her dower. His hereditary dominions were partly conveyed, by his two sisters, to their husbands Hartman of Kyburg, and Simon de Thierstein; and partly devolved to John Count of Hapsburgh Lauffenburg, son of the count who had composed a song in the Wellenberg at Zuric, and had married the widow of the Count of Nidau who fell at Laupen.

CHAP. X.

sprightly and courageous race, were once subjects of the Baron of Wollhausen, who afterwards alienated them to the house of Austria, from whom Peter de Thorberg had lately obtained Entlibuch as a mortgage. The shepherds of this latter district, which borders on Underwalden, one of the most remarkable among the Helvetian tribes for primitive truth, vigour and industry, were the only part of the duke's subjects who made an effectual stand against the inroads of these assailants. Their undaunted firmness called forth many adventurers from the forest cantons; and at Lucern, the gates of which were shut, many jumped over the walls, and hastened to the collecting band. Three thousand of the invaders had advanced far into the valley of Russwyl, spreading desolation round them, when they were met by six hundred of the shepherds, who, being well acquainted with all the advantageous posts of the country, soon routed them; not however without a severe conflict, and a heavy loss on their part. They rode back triumphant to their huts, on English steeds, and clad in the bright armour of their slaughtered foes.[28] A baron, who from his lofty castle saw the march, exclaimed, 'alas! that peasants should now wear the arms of such illustrious warriors.' A shepherd answered, 'It is because we have this day mingled 'the blood of illustrious warriors with that of horses.'

The Berners, aware that the increasing famine would soon compel the hostile bands to approach their city, at length took vigorous steps to secure themselves. The nature of the country, the length and darkness of the nights, the inclemency of the season, all seconded their measures. On the evening of

[28] This engagement took place near a wood called the Buttisholz. A mound, called the English Barrow, is to this day a memorial of the event.

CHAP. X.

Christmas day, they fell upon a party commanded by Frant, and put them to the rout. Two days after ap Griffith, who lay with three thousand men in the convent of Fraubrunnen, between Berne and Soleure, was roused out of his sleep two hours before daybreak, and a bloody conflict took place in the cloisters. The chief, and Velcaib by his side, fought with desperate fury. The convent took fire, and the din of arms was heard through the thick smoke and raging flames, until the conflagration, confounding friends and foes, put a stop to the combat. Eight hundred English fell, and Jevan retired. The Berners, who had paid dear for this advantage, returned home, loaded with spoils, and three captured banners, gaily chaunting their war song.[29]

Coucy, now equally urged by hunger and cold, and seeing his formidable opponents gathering on all sides around him, gave up the contest, and withdrew into the milder plains of Alsace: his troops, exasperated by ill success, became rapacious and unruly. Ingelram was brave; skilful in state affairs, and magnanimous far beyond what could be expected from human frailty:[30] but a general, who carries war into this country, if the people unanimously resist him, and especially in the imperfect state of the tactics of those times, must be endowed with talents, and a fund of local knowledge, which fall to the share of few, and which Coucy did not possess. With forces more numerous than those which Alexander led into Asia, all Coucy obtained was the two Seigneuries of Buren and Nidau, which the duke, having purchased them from the 1376.

[29] This song is to be found in Tschudi.

[30] He refused the high office of Constable of France, because he thought Oliver de Clisson more worthy of it than himself.

CHAP. X.

house of Kyburg, made over to him, in full satisfaction for his claim on account of his mother's portion.

An attempt upon Soleure. 1382.

Rudolph, the son of Hartman of Kyburg, who had married one of the co-heiresses of Nidau, ambitious, like many of his predecessors, to emulate the splendour of the ducal court, involved himself in such difficulties, that he was at length compelled to alienate all his property and privileges in the town of Thun, to the city of Bern. He endeavoured to retrieve his affairs by engaging in foreign wars; but he returned from Lombardy with abundance of fame, and in still more embarrassed circumstances. Impatient of the incessant wants that depressed his spirit, he resolved to relieve himself by one bold act; to seize on the city of Soleure, with which he was at variance on account of some mutual claims to certain villages; and likewise to recover Arberg, and cancel the mortgage of Thun, and thus reunite them to his hereditary dominions. It is thought that Duke Leopold was no stranger to this daring enterprize, of which, should it prove successful, the Count trusted the fame would obliterate the infamy. Diebold of the house of Neuchattel had promised to co-operate; and one of the canons of the chapter of St. Ursus, whose dwelling was contiguous to the city wall, offered his treacherous aid. The priest agreed to admit the party in the night, and had collected a large supply of cords to secure the magistrates, and all who might offer resistance. The night of the tenth of November was pitched upon for the attempt. One of the conspirators found means to muffle the alarm bell, and the most profound secrecy was observed by all who were privy to the design. At midnight, however, an unknown voice called loudly to the centry at one of the gates,

announcing the approach of a troop of nobles. The report was not credited until the avoyer ordered the alarm bell to be tolled, and found it silent. A general outcry now raised the city: the burghers armed and hastened to the walls. Count Rudolph perceiving that all he could reap from this luckless enterprize was the disgrace of a perfidious act, burnt and pillaged all the neighbouring houses and gardens, caused all he met with to be hung upon trees, but desisted from the attempt, as well as from his purpose concerning Thun and Arberg. The perfidious canon was degraded by his ordinary, and drawn and quartered. The chapter having been detected in a secret correspondence with the duke respecting this plot, was mulcted. Hans Rott, the peasant who had given the first alarm to the centry, was ordered to be supplied annually with a coat of the city colours; and the like gift was decreed for ever to the oldest of his posterity. The event was commemorated by an inscription over the great portal of the church of St. Ursus. Rudolph, oppressed by shame and penury, abandoned by the Duke of Austria, and menaced by Soleure and the whole Confederacy, who had now been applied to for succour, gradually drooped and died.

The Berners, who remembered the signal services Soleure had rendered them at Laupen, were ready at the summons, and ventured an attack upon the town of Burgdorf, the chief residence of the Counts of Kyburg. They laid six weeks before its walls, during which the garrison, contrary to the conditions of a short armistice, received reinforcements from the Count of Montford, and the Duke of Austria. The besiegers, upon this, being in want of all necessary implements, relinquished the enterprize. Berthold, the great uncle,

CHAP. X.

and the two brethren of the deceased Count of Kyburg, finding no remedy for the distracted state of their affairs, but a speedy peace, sent urgent solicitations to demand it from the confederates; and Otho de Bubenberg, no less intent to acquire for Berne the important town of Burgdorf, gave all possible countenance to the proposal, on condition that the purchase of that place be one of the preliminary articles. The negociation (a most difficult one, since the Counts of Kyburg scarce knew how to forego their ancient hereditary seat) was
1384. at length brought to a happy conclusion. The magistrates of Burgdorf opened their gates to the burghers of Berne, and the counts evacuated the castle. They likewise ceded Thun, and some other territories to Berne; which, in return, agreed to defray all the expences of the war, and to indemnify Soleure for the damages it had therein sustained. The Counts of Kyburg hereupon became burghers of Berne.

View of the times.

The Austrian delegates and mortgagees, who had now become very numerous,[31] forgetful of the fate of Landenberg and Gesler, once more gave a free scope to their resentment against the shepherds and burghers of the Confederacy; and, relying for impunity on the interest of their friends at court, gratified their cupidity and arrogance by all manner of violence and oppression. Notwithstanding the artifices of the courtiers in withholding the loud complaints of the people from the sovereign, he was often heard to declare that such proceedings would infallibly bring on the ruin of his government. Wenceslaus held the sceptre of the German empire with a feeble hand. The different ranks of society were in

[31] The dukes of Austria were wont to reward services by affording opportunities for extortion.

CHAP. X.

perpetual strife. Besides the rooted enmity between the lords and the plebeians, the citizens and the country people also frequently harboured mutual jealousies; and tradesmen and mechanics assumed the bold and independent spirit of the shepherds of the Alps, who justly prided themselves in having been foremost in the defence of their liberty. In times so full of discord, various associations were formed among the nobles, one of which, under the name of the Lyon, extended as far as the Netherlands; and others, which assumed the appellations of St. William, and St. George, prevailed in Suabia, and many of the interior parts of the empire. These, in the sequel, formed a general combination for mutual defence, of which Duke Leopold, and Everard Count of Wurtemberg, thought it expedient to become members. Basle was the first city that joined;[32] and many Suabian and Franconian towns followed the example. These several members being influenced by different motives, and often swayed by opposite interests, the union proved, ostensible indeed, but far from cordial. The nobles, from a similarity of habits and inclination, were firmly addicted to the duke; whilst the cities, in acceding to the coalition, were rather induced by their apprehensions of danger, than by motives of genuine friendship. Meanwhile fifty-one free imperial towns on the Rhine, in Suabia, and Franconia[33] proposed a league of the same nature as the Helvetic Confederacy. Schwitz, in the name of the forest cantons, declined the overture, alleging that their fundamental maxim was to defend themselves when attacked, but

[32] It entered into the association of the Lyon.

[33] The principal of these were Mentz, Strasburg, Worms, Frankfort, Ratisbon, Nuremberg, Augsburg, Constance, Lindau, and, once more, Basle.

CHAP. X.

never to interfere in the concerns of others. Zuric, Berne, Soleure, and Zug, freely accepted a defensive league, and ratified it at Constance.[34] The Lucerners, restrained by the forest cantons, did not openly accede; but declared that they would at all times comply with the summons of Zuric.

Before the formal confirmation of this league of the cities Duke Leopold, who was at that time treating for the purchase of the lordship of Lauffenburg from the branch of his family which, not long before, had sold the Marches of Schwitz and Rapperswyl to his father and brother, came to Zuric, and gave audience to the deputies of Schwitz, who remonstrated against certain tolls that had been newly laid on at the bridge of Rapperswyl; and to others from Lucern, who loudly complained of the exactions of the revenue officers at Rotenburg. The duke, ever studious to sow dissensions among the Confederates, and resenting even the qualified acquiescence of Lucern in the league of the cities, repealed the tolls on the bridge, but gave no redress to the Lucerners. Having thus pacified the Swiss, and having reason to conclude, from the reception he had met with at Zuric, that the burghers were not unfriendly to him, he soon devised some heavy charges against the allied cities in the empire. These cities immediately summoned the Helvetic Confederates; but the truce of Thorberg not being yet expired, and autumn being near at hand, the Confederates desired a respite till after the harvest; and, so averse were they from entering into this contest, that, at a diet held towards the end of the year, they positively declined all interference.[35] The duke hereupon found means to dissolve

[34] June 11, 1385. [35] We find no satisfactory vindication of this breach of faith, no less impolitic than derogatory.

the league of the cities; and being thus freed from a formidable opposition, he became less mild and compliant even towards the Swiss confederates, whose forbearance his house had more than once experienced: and his delegates, observing this return of austerity, were not behind hand in displaying all their wonted pride and rapacity. The Confederates, on seeing the change operated by the advantages lately obtained by the duke, became suspicious and disaffected, and perceived that their only security now centered in their swords.

Ostensible causes of the War with the Nobles. 1385.

On one of these days of general discontent, a report was suddenly spread, at the annual fair of Martinmas, at Rapperswyl, that a body of Zurichers were advancing up the Lake with an intention to surprise that town, and demolish its castle; and that in this attempt they were to be assisted by a detachment from Glaris. The fair, in fact, attracted numbers of people from all parts of the country; but that any, on this occasion, came with hostile intentions, is no where positively affirmed. The bailiff of Rapperswyl, doubtful whether to credit or disbelieve the intimation, sent to a neighbouring district for a reinforcement. All the visitors at the fair, from Zuric and Glaris, either irritated at the slanderous report, or seeing the attempt frustrated, withdrew. The Swiss exclaimed loudly against the opprobrious calumny; whilst Austria, with no less semblance of indignation, taxed them with a perfidious breach of the unexpired amnesty.

Seven days after this incident, a number of valiant youths from Lucern, regardless of the dissuasive remonstrances of their magistrates, who were solicitous to preserve peace, fell suddenly upon the Austrian delegate and his people, who

CHAP. X.

were celebrating a wake before the gates of Rotenburg, dispersed them, filled the ditch of the castle with the new raised walls, and returned to their city, guiltless of either plunder or bloodshed. They had long threatened this summary justice; the imposts laid on at Rotenburg being, in fact, contrary to the existing treaties. The delegate dispatched letters and messengers to the duke; and Lucern cautioned the Confederates.

Lucern, at the same time, reserving all the prerogatives of the house of Austria, received the shepherds of Entlibuch into its burghership. Peter de Thorberg, to whom Austria had mortgaged that district, raised the taxes to a degree the people could no longer endure: he frequently compelled extra levies, under pretence of public services, which were never performed. On a day of public worship, he kept the people confined in a church, till they had consented to add one hundred livres to their annual contribution. Those who shewed themselves reluctant he imprisoned, put many of them to the torture, and some to death. When the people sent to Lucern to demand protection against such wanton oppression, he caused the advisers of the measure to be publicly executed; and, being apprized of the compliance of the burghers, made inroads to the very gates of the city.

Thus began the war between the nobles under the auspices of Duke Leopold, and the Confederates both of the municipal and predial cantons; the true motive of which was the irreconcilable hatred of the former, who reprobated the spirit of independence the latter were incessantly diffusing all around them. Lucern thought itself called upon not only to repel, but also to take vengeance for the insults inflicted by

Thorberg on their co-burghers; and knowing how warmly the neighbouring lords would espouse his cause, they saw the necessity of preventing the effects of their enmity, by seizing and demolishing their castles. Zuric, Zug, and the three forest cantons, being fully apprized of the inducements to this conduct, resolved, without deliberation, to arm in defence of Lucern; and accordingly, on the third day of the ensuing year, the banners of Schwitz, Uri and Underwalden appeared in the city, proceeded thence with the burghers against the castles of Wollhausen and Kapfenberg, reduced them, and committed them to the flames; hence they advanced to Baldeck, and having taken and destroyed that and several other castles, they met parties from the Austrian towns of Sempach, Mayenberg and Reichensee, which, either from predilection for the Confederates, or the dread of their approaching arms, joined the forces of the cantons. 1386.

Leopold, upon this, having reduced the Imperial cities of Alsace, came into the Argau, denouncing vengeance against the Swiss cantons, the original movers of this insult, and all their audacious Confederates. The inveterate malevolence of the nobles now broke out so suddenly, that in twelve days the Confederates saw themselves assailed by one hundred and sixty-seven lords spiritual and temporal, most of whom were eager to avenge the affronts they or their fathers had experienced at Morgarten, Laupen, Tatwyl, or other less celebrated, though to them equally disastrous, encounters; all exulting in the firm persuasion of their irresistible force, but deeming the conquest rather too easy for the glory they were ambitious to acquire. The declarations of hostilities from different lords were sent to the Confederates by twenty successive

CHAP. X.

messengers, in hopes that repeated alarms would gradually depress their spirit, or perhaps ultimately sink them into absolute despair.

The Swiss had nothing to rely on but their courage, and their Confederacy. After having bravely fought for Berne at Laupen and at Burgdorf, they summoned that city with the confidence of an irresistible claim to mutual aid. The Berners remonstrated, that some months were yet wanting before the expiration of the eleven years truce they had concluded with Leopold; that the duke's dominions, in their vicinity, were in a state of perfect tranquillity; that the late war had exhausted their funds; and that they therefore requested to be exempted from the necessity of engaging in this war. The Swiss received this answer in mournful silence. The cautious circumspection of the Berners may be commended; but their not having shared in the glory of the day of Sempach, will ever be a stain in their, otherwise splendid, annals.

After a short armistice, the war commenced, and soon raged with unrelenting fury. Many strong castles fell in a few weeks: many acts of treachery were committed on both sides. The burghers of Mayenberg betrayed the Swiss garrison, allured two hundred men of Zug and Lucern out of the town, and exposed them to the attack of thirteen hundred Austrians, who destroyed most of them. The survivors, enraged at the base perfidy, set fire to the town, and deserted it. Reichensee, true to its engagements to the Confederates, was taken by a superior force, and burnt; and all who escaped the flames, men, women and infants, were inhumanly butchered. Glaris, though by the terms of its league with the forest cantons, and on account of its dependance on the Abbess of Seckingen, and

the duke her advocate, might have declined to interfere in the wars of the Confederates, especially against Austria; yet deeming that, at this critical moment, when the Swiss were assailed by a multitude of powerful and inveterate foes, it ill became them to remain unconcerned spectators; they, after mature deliberation, declared to the duke, that the cause of the Confederates involved their own, and that they could not desert it. Sixteen hundred men of the forest cantons, Zug and Glaris, joined under their respective banners and marched to Zuric. This city, expecting, as had been the case on former occasions, to be exposed to the first and most vigorous attack, made every possible preparation for an obstinate defence.

Preparations.

The army of Leopold collected near Baden, the place from whence his father had, seventy-one years before, led another army to Morgarten. Having learnt what forces had assembled for the defence of Zuric, he proposed the following plan to a council of war, by whom it was adopted; 'A strong body 'of Austrians, under the command of John de Bonstetten, 'shall encamp at Bruck in the Argau, to awe the city of 'Zuric; and being itself secured by the Reuss and Aar, shall 'spread an alarm over all the Confederate countries: the 'duke, the lords, knights and their retainers, shall advance up 'the country towards the Alps: after Sempach shall have 'been chastized for its treacherous defection, and Rotenburg, 'which had been basely snatched from the duke, shall be re-'covered, the army shall instantly proceed to Lucern, the 'bulwark of the forest cantons, and reduce it before any part 'of the garrison of Zuric shall dare to leave that city 'exposed to Bonstetten, and come to its relief.' The Confederates, on hearing of the motions of the duke, concluded

CHAP. X.

from the knowledge they had of his prowess and temper, that the greatest effort would be made by the troops he commanded in person; and that no advantage of less magnitude than an absolute defeat, would decide the fortune of the war. They therefore determined, 'that the burghers of Zuric, knowing 'that Bonstetten had no implements for a siege, should '(though ever on their guard against a sudden attack) allow 'the Confederate auxiliaries to march out of their city: that 'these should cross the Reuss, and advance through Upper 'Argau towards Sempach: that Zug should cautiously guard 'its frontiers against Bonstetten, should he attempt to ap-'proach them; and that all the remaining forces that could 'be collected, should march straight towards the duke: a 'small body, indeed, against a formidable host; but a body 'of men roused to the highest pitch of valour by their reli-'ance on the justice of their cause, and the protection of the 'Almighty, so often manifested in their behalf.'

The auxiliaries accordingly marched out of Zuric, and advancing with speed, were joined by many from Zug, Entlibuch, and all the villages through which they passed. On the same day that these troops arrived in the Argau, came also a body of Berners to a castle near Willisau, not many miles from Sempach, under pretence of demanding redress for some wrongs they alleged to have sustained from the Dowager Countess of Valengin; but more probably to observe the progress of the war; and, should the duke prevail and be at liberty to attack Lucern, to harass his rear and impede his operations. The duke advanced from Baden up the Argau, and passing by Sursee, reached the walls of Sempach. This small town, about nine miles from Lucern, lays at the head

of a lake nearly six miles in length; the country round it rising into meadows, thence into corn fields, and lastly, into extensive woods which crowned the hills. The Confederates occupied these woods.

Battle of Sempach.

Early on the ninth of July, they reconnoitred the enemy's army: they saw a numerous well appointed host; each band led on by an illustrious baron, an avoyer, or one of the duke's substitutes, whose pride and avarice had occasioned this war. A large body of cavalry, consisting entirely of nobles, who were emulous to achieve the reduction of the Swiss peasants without the aid of the infantry, bore the most formidable aspect. Among all the chiefs none was more conspicuous than Duke Leopold, at that time five and thirty years of age; manly, high minded, full of martial ardour, elate with former victories, revengeful, and eager for the combat. It was harvest time; his people reaped the corn: the nobles approached the walls of Sempach, and upbraided the citizens: one of them held up a halter, and said, 'this is for your avoyer:' others demanded that breakfast should be sent out to the reapers; these were answered, 'the Swiss are bringing it.' The duke seeing the Confederates on the eminences, forgot, or perhaps never knew, that cavalry attacks with far greater advantage on an ascent, than a declivity: he unadvisedly ordered the nobles, whom their heavy armour rendered very unfit for the evolutions of infantry, to dismount, and sent their horses to a distance in the rear: he formed them in such close array, that the long spears of the rear ranks reached the front of the line, and formed a thorny fence that was deemed impenetrable. John Lord of Ochsenstein commanded this formidable phalanx. The vanguard, consisting of fourteen hundred foot, headed by

CHAP. X.

Frederick Count of Zollern, was sent into the rear.[36] If the duke actually meant to wait for an attack, he erroneously adopted the plan that becomes a commander who opposes a small, to a superior force. To this he may have been induced by the romantic gallantry of his nobles, who scorned advantages gained by stratagem, or a manifest superiority of numbers; and deemed that a victory thus gained, would leave the palm of valour undecided: and the bright qualities of Leopold fitted him much more for high feats of chivalry, than for the command of an army.

John Baron de Hasenberg, an experienced veteran, having surveyed the whole array, intimated to the nobles, that presumptuous hardiness often proves fatal, and earnestly recommended that the Baron de Bonstetten might be sent for without delay; but they reprobated his caution: and thus also, when the duke was admonished, that in all engagements unforeseen accidents do happen; that the province of a chief is to conduct the army, and of the army to defend its chief; and that the loss of a commander is often more ruinous than that of half his force, he at first answered with a smile of indifference; but being urged with still greater solicitude, he replied with warmth, 'shall Leopold look on from afar, and 'see how his brave knights combat and die for him? Here 'in my country, and with my people, will I either conquer 'or perish.'

The Confederates drew up on the eminence, under cover of the wood. As long as the knights were mounted, they thought it scarce possible to stand the brunt of their attack in

[36] This appears to have been part of the infantry whom the nobles would not allow to share in the glory of the day.

the plain and open country, and deemed it safer to abide their approach in their present position. No sooner, however, did they see the nobles dismount, but, suspecting a stratagem which they might not be able to guard against in the wood, they advanced towards the plain. Their contracted line consisted of four hundred men from Lucern, nine hundred from the other forest cantons, and about one hundred from Glaris, Zug, Gersau, Entlibuch and Rotenburg. Each band under its proper banner, was commanded by the landamman of its valley, and the Lucerners by their avoyer: they were armed with short weapons; some held the halberts their fathers had wielded at Morgarten; several, instead of shields, had small boards tied round their left arms. According to ancient custom, they knelt and implored a blessing from on high. The nobles closed their helmets; the duke created knights; the sun stood high; the day was sultry.

The Swiss, after their devotion, ran full speed, and with loud clamour, across the plain, seeking an opening where they might break the line, and spread havock on each side of them: but they were opposed by a solid range of shields as by a wall, and by the numberless points of spears as by a thick fence of iron thorns. The men of Lucern, more exasperated than the rest at the unexpected impediments, made many fierce attempts to break into the line, but all of them ineffectual. The knights, moving with hideous rattle, attempted to bend their line into a crescent, meaning to out flank and surround the assailants. The banner of Lucern was now, for a time, in imminent danger; the avoyer having been severely wounded, and several of the principal leaders slain. Anthony du Port, a Milanese who had settled in the valley of Uri, cried

CHAP. X.

out, 'Strike the poles of the spears; they are hollow:' this was effected; but the broken spears were immediately replaced by fresh ones, and du Port himself perished in the conflict. The knights, partly owing to their unskilfulness, and more so to the unwieldiness of their armour, found it impracticable to form the intended crescent; but they stood firm and unshaken. The Confederates, who had now lost sixty men, became apprehensive of a movement of the vanguard from the rear, and did not think themselves altogether secure against a surprize from Bonstetten.

This anxious suspense was at length decided by one heroic deed. Arnold Struthan de Winkelried, a knight of Underwalden, burst suddenly from the ranks: 'I will open a pas-'sage,' he cried, 'into the enemy's line. Provide for my 'wife and children, dear countrymen and confederates; 'honour my race!' He threw himself instantly upon the enemy's pikes, grasped as many of them as he could reach, buried them in his bosom, and, being of a tall corpulent stature, bore them to the ground with his own ponderous mass: his companions instantly rushed over his expiring body; and a close column forced itself into the broken ranks of the enemy, who were thrown into still greater confusion by their endeavours to close the interval. The pressure this occasioned, added to the intenseness of the heat, proved fatal to many knights, who fell without a wound. Fresh columns of the assailants availed themselves of this disorder, and the havock became general. The servants of the nobles, who had been left with the horses, perceiving from afar the consternation that prevailed, mounted, and consulted their own safety by flight. The banner of Austria sunk to the ground, together

with Henry de Escheloh its bearer. Ulric of Arburg raised it anew, and endeavoured to restore the fight; but he also was soon oppressed, and fell exclaiming, 'Help, Austria, help!' Duke Leopold ran to him, received the banner, now steeped in gore, from his dying hand, and once more waved it on high. The conflict at this moment became most fierce and obstinate. Numbers of combatants pressed round the duke; many of his illustrious companions fell near him: at length, all hope being at an end, he exclaimed, 'I too will fall with honour.' He sprung forth from among his friends, rushed into the thickest of the enemy, and sought his doom: he fell, and while, weighed down by his ponderous armour, he was struggling in vain to raise himself, he was approached by a common man from Schwitz, who levelled a blow at him. Leopold called out, 'I am the Duke of Austria:' but the man either heard him not, believed him not, or thought that in a day of battle, the highest rank conferred no privilege: the duke received a mortal wound.[37] Martin Malterer, the banneret of Friburg in Brisgau, saw the disaster: he stood appalled: the banner dropped from his hand: he threw himself upon the corpse of his slaughtered sovereign to preserve it from insult, and there met his own fate.

The Austrian infantry now, looking round in vain for their duke, betook themselves to flight. The nobles called loudly for their horses; but the dust they saw rising at a distance marked the road by which their faithless servants had long since led them away. Oppressed by their heavy armour, by heat, thirst and fatigue, they still resolved to avenge their

[37] We must have better authority than that of C. E. Faber, to believe that the man who killed the duke was actually tried and executed at Berne for that deed.

CHAP. X.

sovereign; and if they could not preserve their lives, at least not to fall easy victims to the resistless fury of their triumphant foes.

Among the leaders of the Confederates fell Conrad Landamman of Uri, Sigrist Landamman of Underwalden above the forest, and Peterman de Gundoldingen the Avoyer of Lucern. While the latter was bleeding to death, one of his townsmen approached him to learn his dying requests: he, unmindful of all private concerns, answered, 'Tell our 'fellow citizens never to continue an avoyer longer than one 'year in office; tell them this is the last advice of Gundol-'dingen, who dies contented, wishing them repeated victories, 'and a long series of prosperous years:' thus saying, he breathed his last. The banner of Hohenzollern was taken by a shepherd of Gersau. The services of the burghers of Bremgarten, who withdrew from the field covered with the blood of slaughtered foes, were so greatly prized by the Austrian princes, that they immortalized their valour, by a change of the colours of their town livery.[38] Nicholas Gutt Avoyer of Zoffingen fell, together with twelve of his townsmen. Regardless of every concern but that of preventing his banner from falling into the hands of the enemy, he tore it into small pieces, and was found among the dead with the staff fast locked between his teeth. His successors in office have ever after been made to swear, that they would maintain the banner 'even as Nicholas Gutt had maintained it.' Six hundred and fifty-six counts, lords and knights, whose presence was wont to grace the court of Austria, were found among the slain: and it became proverbial among the

[38] They were henceforth red and white.

Confederates, 'that God had on this day sat in judgment on 'the wanton arrogance of the nobles.' After most of the chiefs on both sides had thus fallen, the ardour of the conquerors gave way to fatigue, and the extreme sultriness of the day. The few surviving nobles and Austrians were permitted to consult their love of life; and the Confederates meeting with the enemy's baggage, gratified their love of plunder.[39]

Thus ended this memorable day, in which Arnold de Winkelried, by devoting his life, saved his country from impending ruin. The enemy it is true were impeded by the weight of their armour, the unfitness of their array, and their unskilfulness in the evolutions of a well trained infantry; and even their native prowess, better adapted to feats of knight-errantry than to the tactics of a disciplined army, was moreover relaxed by the sovereign contempt they entertained for the Swiss peasantry. The Confederates, on the other hand, were greatly favoured by their thorough knowledge of the advantageous positions of their country. They were inferior to others in manœuvres and manual exercise; but their mode of warfare was, like their souls, simple, grand, and vigorous. With an infantry like that which fought at Morgarten, Laupen, and Sempach; and with a mind like that of Winkelried, miracles might have been performed, even had it been required to storm the thundering batteries of their recent invaders. The Swiss have, at all times, had the means to keep a foreign host out of their country; but those means of late had not co-operated, and were not duly directed.

Notice was immediately sent to Zuric, Berne, Zug, and

[39] Too hastily, as may be gathered from the subsequent compact of Sempach.

CHAP. X.

Glaris, of the prosperous event which had saved the Confederacy. On the ensuing day, after a party of Austrians had been defeated near Sursee, the Swiss agreed to an armistice for the burying of the dead. Leopold, with sixty of the higher nobility, were conveyed to the abbey of Koenigsfelden, where the remains of the duke were deposited in the vault in which reposed the ashes of Queen Agnes, and others of his house. The lords of Argau were laid in the tombs of their ancestors; the remainder were buried in large pits dug on the field of battle. Two hundred of the Confederates received funeral obsequies at Lucern; and here a perpetual service was ordained for the souls of all who had been slain in the battle, whether friends or enemies. The name of Winkelried has ever since been venerated by his countrymen. Men ought to be well apprized, that a single instant may confer immortality; and that one decisive action of a hero, makes all good men fathers and brothers to his children, down to his latest posterity. The conquerors remained three days on the field of battle, and then returned to their homes, with fifteen captured banners, celebrating in artless songs the glory of their arms.

Many nobles were still left, who resolved not to brook tamely so disgraceful an insult upon their order; and six days after the battle, no less than fifty of them sent declarations of war to the victorious Confederates. Many of them came from distant parts: the Burgrave of Nuremberg was of the number; and the younger Leopold, son of the duke lately slain, and brother to the Dukes William, Frederick, and Ernest, was eager to avenge his father's death. These, during three subsequent months, continued a desultory war in various parts of Helvetia.

The burghers of Friburg in Uchtland, awed no doubt by the power of Berne, had withheld their succour, which, from their knowledge of the mode of warfare in this country, would have greatly availed the nobles. But soon after, impelled and aided by the Burgundian lords, they ventured on a sudden attack upon Berne, which however was easily repelled. About this time (and perhaps this was the real cause of the attempt of Friburg) the upper part of the valley on the river Sibnen, placed itself under the protection of the Berners, and thereby greatly added to their influence in the Oberland.

Zuric and Lucern sent out parties, which met at Aristau on the Reuss; where, after having thrown twenty tax-gatherers from the battlements, they demolished its castle. Hence they proceeded, without resistance, down the river, to Bremgarten and Mellingen; nor was the abbey of Muri, dependent on Hapsburg, secure against their attack. Good men saw with concern that religious awe was no longer a check upon the vindictive spirit and rapacity of warriors, who mutually despoiled sacred places with as little remorse as if their respective saints had been in open enmity. The church, moreover, was at this time undecided between Urban at Rome, and Clement at Avignon;[40] and absolution for every offence was easily obtained, by having recourse to an indulgent confessor of the opposite party.

The Austrian town of Wesen in the Gaster had been long an object of jealousy to the people of Glaris, who knew themselves to be at all times exposed to sudden inroads from that quarter, since in winter, the ice and snow would preclude the assistance of the forest cantons, and in summer their men

[40] Urban VI. and Clement VII. The latter is not numbered in the succession of popes.

CHAP. X.

must be called forth to attend their cattle on the mountains: they hence called upon Zuric and the forest cantons to assist in the reduction of that important station; and this object was soon accomplished. Rafts covered with men came down the lake;[41] and the ditch, contiguous to which stood many wooden houses, was filled with combustibles. The burghers, seeing themselves surrounded by dangers, capitulated, and obtained the confirmation of all the privileges they had till then enjoyed, and perfect security for their persons and property. Instead of an Austrian bailiff, they now received a mayor, named alternately every four months by Zuric, the forest cantons, and Glaris. The men of the Gaster and Sargans had scarce received the summons of Glaris, when they accepted of its protection and limited supremacy.

These successful expeditions, planned with circumspection,
1387. and executed with vigour, having thus extended the influence of the Confederacy, the imperial cities found little difficulty in mediating an armistice of eighteen months. The Confederates, however, owing to the treachery that was practised in the execution of it, ever after called it the 'wicked truce.' Their antipathy against the nobles and Austrians became inveterate: not a word in favour of Austria could be tolerated; and had any one decorated his hat with a peacock's feather (the ornament usually worn by the duke), his life had been in danger. It is recorded that not a peacock was suffered to exist in Switzerland; and that a Swiss sitting one day at a tavern, and seeing an iris formed in his wine glass by the refracted rays of the sun, which he thought bore some resemblance to the feathers of that bird, he drew his sword, and with great imprecations dashed the glass to pieces. Such rooted prejudices

[41] Since called the lake of Wallenstad.

will ever prevail among a people, whose rivals shew marks of contempt, and ridicule their manners; or when they betray a disposition to deceive them.

The short interval of tranquillity this truce afforded was employed in securing the strong places, and in preparing for fresh hostilities. The men of Glaris made regulations for the interior administration of their valley, being well aware that nothing contributes more to the prosperity of a country than a well ordered government. The abbess of Seckingen was confirmed in all her rights and prerogatives; but no man of Glaris was suffered to accept the offices of cellarist, or receiver to the abbey. They knew the influence of avarice, and that such an officer must ever be subservient to the pleasure of the advocate. They established a Court of Appeal, consisting of fifteen natives, to be annually exchanged. Whoever declined the summons of this court was deemed contumacious, and condemned. An appeal to foreign courts was strictly prohibited. They made laws of inheritance, in which the male line had the preference. Five livres was the fine imposed for calling another a murderer, a heretic, a thief, or a rascal. Pledges might be taken for a loan, but they were not to exceed one third of its value. Provisions were likewise made for domestic tranquillity: whoever detained any one who was hastening to quell a disturbance, was fined ten livres.

Early in the ensuing year a conspiracy was formed to reinstate the Austrians at Wesen. No one, in fact, sees with indifference his equals placed in authority over him: and burghers and husbandmen, when they obtain authority over strangers, are ever gratified in exerting it with rigour, especially if it be combined with profit. Many at Wesen, firmly 1388.

CHAP. X.

attached to the Austrian government, corresponded with Arnold Bruch, bailiff of Windeck, and John, Count of Werdenberg, at Sargans. Austrian soldiers were gradually introduced into the town, variously disguised, many in casks; and concealed in the houses and cellars. The magistrates observing various suspicious movements, sent to Glaris to demand assistance, and five days after received a supply of fifty men. On the night of the twenty-fourth of February came down the lake Count John and his retainers, who landed at Utis; and parties from Rapperswyl, Kyburg, Tockenburg, and the Gaster. These all joined before Wesen, six thousand in number. On a preconcerted signal, torches were immediately lighted in the town, the concealed soldiers came forth from their retreats, both bridges were broken down, and the gates were opened. Conrad Au of Uri the mayor, Henry Tschudi the banneret, and above thirty soldiers, were killed; and Wesen was again possessed by Austria. Two-and-twenty men sprung from the walls, and fled across the lake: at break of day they met reinforcements that were coming from Glaris. These, hearing of the disastrous event, returned to the intrenchments on their frontier, much disconcerted, and dubious of the fate they themselves had now to expect. One thousand of them remained three weeks under arms at the entrance of their valley. They resisted many repeated attacks, heard daily of the fresh troops that joined the enemy, and had no foreign aid, except two men of Uri, late servants of Conrad Au.

Reduced by incessant fatigue and alarms, they now applied for an equitable peace; and their deputies, after having experienced much contumely, especially from Peter de Thorberg, received the following proposal.—'All you who hold feudal

'tenures under the duke, must yield unconditional obedience 'to your sovereign lord, as predial slaves; and when required 'must take the field against all his enemies, especially the 'Swiss: you must renounce your league with the Confe- 'derates, and make no alliance whatever without the duke's 'previous consent: you must pay all arrears of contributions: 'you shall have no law but the will of the duke; and shall 'deliver up to him all the documents of your pretended liber- 'ties: you shall indemnify Wesen for all the damages it has 'sustained on your account; and expiate your stubborn dis- 'obedience, until the duke shall please in his mercy to admit 'of your atonement. To this you shall bind yourselves by 'solemn oaths, and by the delivery of hostages.' The community of Glaris took little time in framing the following answer. 'We acknowledge that the Lady Abbess of Seckin- 'gen is our sovereign, and that an Austrian prince is her 'advocate for our valley. We will duly discharge the arrears 'of contributions, and whatever sum Count John of Werden- 'berg shall name for the damages we have occasioned at 'Wesen: but we earnestly request that we may continue in 'the just and inoffensive league we have entered into with the 'Swiss; and that we may retain the privileges that have been 'handed down to us from time immemorial.' The Austrian ministers received this answer with disdain, and added public insult to their abrupt refusal. The men of Glaris now perceived that this was one of those critical moments in which a people, if it is to subsist, must give decisive proofs of its energy and unshaken resolution.

The Austrian forces assembled in great numbers,[42] before

[42] They are reported to have been about six thousand.

CHAP. X.

the passes into the mountains were practicable. Count John of Werdenberg commanded them; and under him Count Donatus of Tockenburg, Peter de Thorberg and John de Bonstetten, led the bands from Thurgau and Argau; and John de Klingenberg those from Shaffhausen and the Black Forest: Ulric Baron de Sax bore the Austrian banner. On the eighth of April, towards evening, intelligence was brought to Matthias Buel the captain of Glaris, who, with two hundred men, was guarding the lines near Næfels, that an attack was speedily intended. This notice having been rapidly divulged all over the country, the women and children, with their cattle and moveables, withdrew up the valley towards the mountains; and messengers were sent to the forest cantons to summon their aid. Schwitz, without waiting for the resolves of an assembly, sent over thirty men, the foremost in speed and ardour; and in the night dispatched twenty more. From Zuric all communication was cut off by the Austrians.

The Battle of Næfels.

On Thursday the ninth of April, at four in the morning, the enemy drew near the intrenchments. Klingenberg, Thorberg, Bonstetten, and Sax, approached in front; whilst Werdenberg, with more caution, perhaps, than enterprize,[43] came with fifteen hundred men over mount Kerenzen, on the left extremity of the line, with a view, it should seem, to assail the rear. Matthias Buel caused the whole country to be alarmed. The men of Mollis joined him first: then those of Glaris, under Albert Vogel, their landamman. Buel, after an obstinate resistance at the lines, fell back, and thus afforded time to the people to collect from the most distant parts. The

[43] He appears to have been willing to see the event of the day before he committed himself.

Austrians, having forced the intrenchments, hastened with impetuous fury into the valley. Buel now placed the five hundred men he had collected, in front of mount Ruti, where, with great hazard, Henry Buel fixed the banner. The Austrians despising their weak numbers, betook themselves to plunder, and burnt the town of Næfels. Having reached Netstall, their cavalry fell upon the men of Glaris on a spot very unfavourable to the horses; and where, great stones being moreover hurled among them, they were soon thrown into confusion. Buel hereupon, having received all the reinforcements he had reason to expect, ventured an attack. The men of Glaris are peculiarly dexterous and active: they instantly inflicted many wounds, dismounted many horsemen, and greatly harassed the whole of the enemy's line. At this critical moment, a sudden shout announced the approach of a considerable band from the Upper Valley. The mountains re-echoed the welcome sounds; and these, together with the disorder which already prevailed among the invaders, which was now increased by the redoubled ardour of the assailants, the unruliness of their own horses, and even the view of the towering Alps, which alone seemed to menace destruction, all contributed to spread terror among the Austrians, and added many imaginary to the real perils they were encountering.

At the hour of nine, as if terrified by the ghost of Walter de Stadion, who, thirty-seven years before, had met his doom in this very pass, and from the hands of the same enemy, the Austrians were all seized with a sudden panic, and fled in all directions. They fell upon each other in accumulated heaps, promiscuously with their horses; and many found a watery

CHAP. X.

grave in the river Lint. Three Landenbergs fell near each other in a garden; thirty burghers of Rappersywl, with their bailiff, in an orchard; and forty of the Thurgauers on the banks of the Lint. Eighty men from Winterthur, four hundred from Tockenburg, and forty-two from Wesen, lay on the field of battle; and among them were found Ulric de Waldkirch, with fifty-three of the first nobility of Shaffhausen. Neither Bonstetten nor the Baron de Sax survived this day of horror. The Austrian banner, borne by the latter, and those of Thorberg, Tockenburg, and Montford, were taken. The conquerors pursued the enemy with triumphant shouts, to the bridge of Wesen: the bridge fell in, and with it a considerable number of the fugitive knights, clad in heavy armour, sunk into the lake. Many fell under the halberds of the pursuers. One hundred and eighty-three nobles and knights, and more than two thousand five hundred men, are reported to have perished on this day. Eleven banners, and one thousand eight hundred sets of armour have long remained the trophies of the victory. Count John of Werdenberg, either cautioned by his wary circumspection, or awed by fear, returned hastily over mount Kerenzen; and the whole valley was cleared before the next dawn of day. The victors offered up their thanks to God, the blessed Virgin, St. Fridolin and St. Hilary their tutelary saints, and passed the night on the field of battle. Next morning they advanced to Wesen, which they found deserted by all its inhabitants: they sacked and burnt it,[44] and thus avenged the treachery which a few weeks before had proved fatal to many of their countrymen.

[44] It is uncertain whether this fire was accidental or intentiona

Among the bodies of the slain, which had been gathered in great pits near the intrenchment, five hundred and seventy-nine were, twenty months after, dug up at the request of their relations, and deposited in consecrated ground near the abbey of Ruti. The community of Glaris upon this ordained, that every first Thursday in the month of April, the head of every family capable of enduring the fatigue, should repair to Næfels, and walk over every spot, path and stile, on which their ancestors had, on this day, encountered so much toil and danger, and been so manifestly protected by the Almighty. The people attended on this occasion, and visited, with the aged fathers, the spots of the eleven attacks made on that day; and at the sixth station, heard the narratives of the battle of Sempach, of the events in the Gaster previous to this war, and of their own signal victory; after which, the names were commemorated of fifty-one of their countrymen, two Schwitzers, the two servants of Conrad Au, and lastly, of Matthias Buel, who all on this day had bled in their country's cause. Schwitz sent two deputies to this procession. After the ceremony, and the celebration of mass for the repose of the souls of those who perished in the conflict, the people betook themselves to jovial festivity, and returned to their homes. chaunting the exploits to which they owed their freedom.

Siege of Rapperswyl.

On the second day after this battle, seven hundred men marched up from Zuric to the assistance of Glaris; but hearing that their aid was become superfluous, they resolved to attempt the siege of Rapperswyl, which, having been strongly fortified by Archduke Rudolph, had afterwards been garrisoned by seven hundred Lombard and Genoese soldiers, whom Duke Leopold, who fell at Sempach, had obtained from the Duke

CHAP. X.

of Milan.[45] Peter de Thorberg, the inveterate enemy of the Confederacy, commanded this force. The troops from Zuric, after having received considerable reinforcements, and been supplied with the necessary implements, made a first attack on the twelfth of April, in which one of their men was killed by a leaden bullet. The day after this vain attempt, they were joined by a victorious band from Glaris, and numbers of auxiliaries from the forest cantons, Zug, and even from Berne. Soleure, though allied only to Berne, sent sixty spearmen. Repeated assaults were made during three weeks, with fire arms, and various battering engines; and fire-ships were occasionally approached to the wooden houses that skirted the lake; but the resistance was so vigorous and obstinate (the inhabitants, no doubt recollecting the hardships they had endured under Rudolph Brun, being foremost, without distinction of age or sex, in the defence of their shattered walls) that the besiegers, finding all partial attacks ineffectual, resolved on a joint and decisive effort. They prepared a general storm, partly from boats on the lake, but chiefly on the side of the camp under cover of a gallery. Thorberg, who had more than once witnessed the intrepidity of the men he had to contend with, advised a surrender; but the burghers strenuously opposed him. Attacks were made on all sides, and with impetuous ardour, and were sustained with equal firmness and resolution. Sixty of the assailants forced their way into a cellar; but instead of availing themselves of the advantage, they quaffed the wine they found, and distributed it largely to their comrades: being by this means disco-

[45] Barnabas Visconti, whose daughter Leopold had married.

vered, they were soon compelled, by fire-brands and boiling water poured on them by the women, to relinquish their station. Meanwhile large stones having been hurled down from the walls on the gallery, and the scaling ladders having been dashed in pieces, the besiegers, at the hour of vespers, after incessant toil during nine arduous hours, abandoned the enterprize, and retired to their camp. On the next day they set fire to their tents and withdrew, leaving behind them many ladders, battering rams, and other warlike implements. The Swiss, like most free nations in a strong country, have ever been more successful in defensive wars, and in the open field, than when they were aggressors, and attempted the reduction of fortified places. This luckless enterprize may be ascribed to a pernicious spirit of conquest, the example of Berne had at this time excited in many of the Confederates; a spirit often disclaimed by them in their hours of sober recollection, but which has nevertheless prevailed far more than was consistent with the true interests of this people, ever invulnerable, as long as it inflexibly adhered to its genuine fundamental principles.

Berne takes Buren, Nidau, &c.

Three days after the battle of Næfels, the Berners, with some of their allies of Soleure, advanced to Buren, a town which, as well as Nidau, although its revenues had been assigned to the Lord of Coucy in lieu of his mother's marriage portion, was still occupied by Austrian garrisons. The dukes neglecting to pay their soldiers, drove them to the necessity of providing for their subsistence by pillage; and thus, besides the open war that was now raging, afforded an additional pretence for this attempt. Whilst a council of Berners was deliberating concerning the best mode of conducting this

CHAP. X.

enterprize, some of their men rode up to the walls, and by means of burning arrows, and balls of tar and brimstone, succeeded to set the town on fire. The wind was high, and the flames spread rapidly; and an assault being made at the same time, the garrison and inhabitants surrendered at discretion: those who escaped the fire and sword were made prisoners.

Five and twenty days after this success, a party of Berners advanced with some of their co-burghers of Soleure against Nidau. The garrison, seeing no prospect of relief, surrendered unconditionally. Two ecclesiastics, the Bishop of Lisbon, and the Prior of Alcaçova, whom the marauders from Nidau had stripped and detained, were found in the tower of the castle under a heap of tattered garments. Berne gave them hospitable entertainment, supplied them with apparel, horses and money, and dismissed them with ample provision for their journey. For these benefits, the two prelates, having reached their homes, sent to Berne, besides the full value of the articles they had received, the sum of one thousand ducats towards the expences of this war. The town of Neuville, on the opposite side of the lake of Bienne, now also, with the consent of the Bishop of Basle, and with reservation of all its previous rights, was admitted to an union with Berne. A banner of this prosperous city soon after advanced up the Uchtland, and along the lake of Thun, to the narrow plain which separates this lake from that of Brienz. Unterseen, a small wooden town on the Aar, which here rapidly descends from the upper to the lower lake, and near it, on a high eminence, the castle of Uspunen, were once the inheritance of the house of Eschenbach, and at the downfal of that venerable race, had been

seized by Austria. The Berners added both to their increasing territories. Another party descended the Aar as far as Bruck; and thence crossed the Botzberg into the valley of Frick, on the Rhine: there they took possession of the noted church-yard of the village of Frick, which, being deemed a post of uncommon strength, had been made the deposit of all the valuable effects of the people in the valley. These the Berners seized, and, thus loaded with spoils, returned joyous to their respective homes.

The Dukes Albert, William, Frederick, Leopold and Ernest, the first a brother, and the four others, sons of Duke Leopold who had been slain at Sempach, seeing the fatal issue of that disastrous day; the loss of Wesen, Buren, Nidau, and other towns of no trivial import; the confusion that prevailed in Thurgau; and the danger to which the Argau was exposed: aware also that their treasures were exhausted, their armies weakened and discouraged, and their nobles reduced in number, wealth and preponderancy: being moreover at war with Poland, and doubtful of the intentions of Bavaria, they gladly acceded to a seven years truce with all the Confederate states, including Soleure the ally of Berne. This treaty was negociated at Zuric by Lewis Count of Thierstein Abbot of Einsidlen, and Burcard Wyss Abbot of Wettingen; and finally concluded at the mediation of Basle, Constance, and four other imperial towns in Suabia. 1389

'All districts, burghs and castles,' it was here stipulated, 'which during the war have freely joined or surrendered to, or 'been forcibly subdued by the arms of the Confederates, shall 'be confirmed to them during the continuance of this armis-'tice; the town of Wesen excepted, which shall be restored

CHAP. X.

'to Austria, on condition that, during the same interval, 'none of the former inhabitants, who had conspired against 'the Confederates, should be suffered to remain within its pre-'cinct: Lucern shall have the right of naming a water bailiff 'over the lake of Sempach: there shall be a free intercourse 'throughout Helvetia; nor shall any fresh tolls or imposts be 'exacted: the Confederates engage not to admit any subjects 'of Austria, not residing within their boundaries, into their 'union: all differences that may arise shall be amicably 'adjusted in the monasteries of Var, or St. Urban, by umpires 'to be chosen by the plaintiffs from among the opposite 'party.'

Thus did the Confederates terminate this formidable war, into which their rulers entered with reluctance, but the people with confidence and alacrity; and from which great territorial acquisitions accrued to Berne, and to the whole nation the immortal fame of heroic virtue. Seven of the cantons accepted the treaty with ready acquiescence: to Berne it appeared still premature.

## CHAP. XI.

*The Confederacy prevails throughout Helvetia.*

CHAP. XI.

DUKE Leopold, the fourth of that name, son of the duke who had fallen at Sempach, came, in the fourth year after the ratification of the last mentioned treaty, to Baden, and formed a new project for the recovery of his lost territories, which, finding force ineffectual, he proposed to accomplish by sowing dissensions among the Confederates. With this view, he entered into an agreement with Rudolph Shoen burgomaster of Zuric, and some of its senators, by which they engaged, in the name of their city, to afford no manner of assistance to the Confederates in the defence of the territories they had lately wrested from the house of Austria, but rather to espouse the cause of the duke in every contest that might arise between him and the Swiss. Although no intimation of this transaction had been given to the great council (a strong presumption of its pernicious tendency) it reached, however, the knowledge of the Confederates, who, aware of the danger it involved, instantly sent deputies to Zuric to remonstrate against the insiduous act. On the eighth of June, these deputies arrived 1393. at the town-house; and whilst they were conferring with the burgomaster, who was devising means to evade the charge, the people collected in great numbers, and having gathered from some of the deputies the motive of their mission, they

CHAP. XI.

fired with indignation, and called loudly for immediate redress. The great council hereupon assembled, and resolved to wait for the return of the instrument containing the agreement, which had been sent to the duke for his ratification; that the whole burghership should thereupon be convened to take the same into consideration; and that meanwhile, the authority of the burgomaster, the tribunes, and the senate be suspended.

Decree of Sempach.

This, and other similar attempts against their independence, and the necessity of being constantly upon their guard against the open violence and secret machinations of their unrelenting foes, induced the Confederates to frame an ordinance chiefly relating to military matters, which, as it owed its origin to the war decided by the battle that proved fatal to the preceding Duke Leopold, was called the decree of Sempach. Its tenor was as follows: 'We, the eight Helvetic 'cantons, and the city and district of Soleure, agree to pre-'serve peace and unanimity among ourselves, and to uphold 'each other, so that every individual may enjoy perfect 'security in his house, and be no ways molested either in his 'person or property: all traders shall be protected in their 'persons and merchandize: no one shall wantonly give cause 'for dissension, or be accessory in fomenting animosities; but 'when a war cannot be avoided, and our banners advance 'against an enemy, each of us will, after the example 'of our forefathers in their many perils, firmly unite, and 'march out together to redress our wrongs: whoever deviates 'from his duty, or otherwise transgresses the laws, and is 'convicted thereof by two credible witnesses, before the 'tribunal to which he is amenable, shall be sentenced to

'personal or pecuniary correction: should any one in battle, 'or at an attack, be wounded, so as to be disabled from service, he shall nevertheless retain his station, and continue 'there amidst his companions until the conflict is terminated, 'and danger is at an end. On no account must the field of 'battle be deserted: and (as an enemy has often rallied 'among the pillagers; and lately, at Sempach, the foe would 'have sustained greater losses had our men not been too eager 'after booty) no one shall betake himself to spoil until permitted by the commander: all the plunder taken shall be 'delivered to the commander, who shall make an equal distribution of it according to the number of men from each 'canton. Since Almighty God has declared churches to be 'his habitations, and has been pleased to effect the salvation 'of mankind by means of a woman, it is our will and positive 'decree, that none of us shall break open, pillage, or burn a 'church or chapel, or any way insult or molest a woman: 'this law shall suffer no exception, unless when enemies and 'their property are secreted in sanctuaries, or when women, 'by their clamours, impede the progress of our forces. This 'we ordain, accept, and confirm by oath, at a general diet 'held at Zuric, on the tenth of July, in the year of our Lord 'one thousand three hundred and ninety-three.'

This ordinance, the first martial law of the Swiss nation, appears thus to have extended far beyond the mere evolutions of an army, and to have involved the great principles on which success in war chiefly depends. To stand like walls, was their fundamental order of defence: to advance irresistibly; to penetrate and bear down every thing before them, like a rock rolling from the summit of St. Gothard, was their

CHAP. XI.

mode of attack. Such were the tactics said to have been practised before Troy, by the Israelites, when they were sti led by the God of Hosts, and by the Greek phalanx an Roman legions, before their grand manoeuvres were refine into sightly evolutions, chiefly calculated to gratify the eye ( inglorious commanders. The Swiss, without having studie the ancients, were, in fact, the restorers of the true art ( war; and this merely because the nature of their countr and their poverty compelled them to fight on foot, and wit scarce any arms but their undaunted courage; and becaus they were guided by good sense, and not by the pedantry ( formal parade and discipline.[1]

Five days after the promulgation of this decree, the burghe of Zuric met at the convent of unshod Friars, and havin considered the treaty with Austria, resolved to remit the whol affair to the council of two hundred. After mature deliber tion, this council determined, 'That the clandestine leagu 'with Austria was null and void, and that Rudolph Shoen th 'burgomaster, and seventeen of the senators, should be ex 'pelled from all public offices, and banished the city, some fo 'life, and others for a limited number of years.'

Constitutional Act of Zuric.

The council moreover framed an act, by which it wa ordained, 'That the burgomasters, senators, and tribune 'be not continued in office longer than half a year: tha 'the senate henceforth consist of thirteen, either nobles o 'burghers; and that this senate and the council jointly elec 'the burgomasters and senators: that each tribe shall elect it

[1] A modern chief has of late, in Lombardy, revived this mode of warfare, an struck terror among the multitudes of highly disciplined troops that were drawn ou to oppose him.

'tribune; but that a dubious election be decided, not by the 'burgomaster alone, but by that magistrate, together with the 'senate and great council: that all law-suits be terminated 'without delay; and that in case of procrastination, the 'tribunes be empowered to summon the parties before them, 'and decide the cause definitively.' This new regulation was, with the assent of the lady abbess, solemnly confirmed by the burghers assembled for the purpose in the great minster.

The late attempt of Austria proved manifestly that its power was more formidable in peace by its artifices, than in war by its numerous armies. This excited the vigilance of the Confederates, and at the same time strengthened the bands that held them together. The seven years truce was, at the duke's request, prolonged for a further term of twenty years: and on this occasion, he renounced all claim to the late conquests of the Confederates, limited the contributions of Zug and Glaris, and confirmed their league with the Swiss, together with those of Entlibuch, Sempach and Rotemburg, with Lucern. He promised not to fortify Wesen; and the Confederates, on the other hand, engaged not to admit any of his subjects into their union.

Twenty Years Prorogation of the Truce. 1394.

The Austrian princes having, about this time, by various partitions of their hereditary dominions, and the nobles by profusion or improvidence, reduced their power, and contracted their means, the Helvetic cities, which, under the auspices of the Confederacy, were now rapidly advancing in wealth and consequence, availed themselves of the happy coincidence of circumstances to make various acquisitions by civil contracts. Zuric purchased from its lord the neighbouring seigneury of Kusnacht, and from Austria the villages of

Acquisitions made by

CHAP. XI.

Honck and Tallwyl: these places, under their new masters, soon increased equally in size, prosperity and beauty. The lordship of Gruningen and its dependencies, were, by the city, redeemed from one of the Geslers; and the towns and districts of Regensberg and Bulach, finding themselves unprotected by Austria, solicited, and were admitted into its co-burghership. The Abbot of Einsidlen obtained the same privilege for his town of Pfefficon: the town of Winterthur, alleging the dangers to which it had been exposed during the late war, sought for security under the protecting arm of Zuric; but an adverse party in the town, insinuating that the transaction had been conducted in a clandestine manner, raised an insurrection, seized on John Goetz the avoyer, led him out, and drowned him in the Thur. John Lord de Bonstetten accepted of the co-burghership both for himself, and all his towns and castles. In each of these contracts, all feudal rights, not alienated in the bargain, and all previous municipal privileges of the respective communities, were scrupulously reserved; whence (as this was observed in all other purchases of the Confederates) arose the multiplicity of local privileges, immunities and customs, to which the Helvetic body owed its complicated polity; derogatory no doubt to the elegance and simplicity of its fabric; but ever to be revered, as it arose from a religious adherence to justice, and an anxious solicitude for the rights of individuals.[a]

[a] No Englishman surely, consistently with his veneration for the inviolate security of persons and property, will arraign this motley combination, which proceeded from the very consideration of which he is so tenacious: and after all, since this uncommon variety of constitutions, some of them sufficiently arbitrary, has for many centuries (notwithstanding the frequent clamours of innovators, who exist at all times and in all

CHAP. XI.

Lucern completed the redemption of the lordship of Rotenburg, purchased the bailiwick of the fertile vale of Ebikon, contiguous to the city, and redeemed the castle and territory of New Hapsburg, and the towns of Willisau and Buren, the latter having been mortgaged by Austria to the Count of Vallengin. The rich and populous valleys of Entlibuch and Russwyl, whose inhabitants, high-minded and vigorous, could never endure an act of injustice or oppression, being now confirmed in their co-burghership with Lucern, came to an agreement with the city, according to which they were to retain all their privileges and previous regulations, and on all occasions to take the field, at their own expence, in defence of the common cause. Lucern.

The authority of the Dukes of Austria, and of their friends and substitutes in the Oberland, was now likewise yielding to the auspicious stars of Berne. Many lords, reduced to indigence, conveyed either their whole seigneuries, or some of their dependencies to the prosperous city. Most of the communities of the Sibenthal had now submitted to Berne. The valley of Frutingen, extending from mount Gemmi to the lake of Thun, and singular for its magnificence of scenery as well as uncommon variety of natural productions, was, with the utmost reluctance, ceded by the Baron de la Tour and Chatillon for an adequate relief the Berners afforded to his shattered circumstances. The people of the valley seeing Berne.

places, and who murmured even when God himself governed his people) successively insured the comfort and tranquillity of many millions; we may well quote this as another, and a very striking instance, that the prosperity of a community depends much more on the untainted manners of the people, and the virtue and wisdom of its rulers, than on the peculiar forms of its civil institutions.

CHAP. XI.

themselves thus transferred to a government in which they could place greater confidence, resolved to hoard all their scanty savings in order to redeem their taxes: this they effected in seven years; and it is reported that, during that period, they wholly abstained from eating beef. The gay and fertile Emmenthal became another appendage of Berne, through various purchases from nobles, co-burghers, and other impoverished lords. Peter de Thorberg, at times the favourer, but more frequently the bitter enemy of the Swiss, weary of a toilsome, and not at all times innocent life, converted the castle, from which he took his name, into a Carthusian convent; and, that it might be effectually protected, placed it under the advocacy of Berne. But what mostly contributed to the territorial accessions of this city, was the total extinction of the younger house of Kyburg, a branch of the house of Hapsburg, and allodial inheritor of the Dukes of Zæringen. Ego and Berthold, the last males of that race, on the day when they were sworn co-burghers of Berne, transferred to the city the landgraviate of Burgundy, which conferred a paramount authority over all tenures from Thun to the bridge of Arwangen; and at the same time made over the county of Bipp, with all its extensive appurtenances, to the cities of
1406. Berne and Soleure. Landshut, the last of the wide possessions of this once powerful race, after various mortgages, came at length into the hands of a noble co-burgher of Berne, from whom it was in the sequel purchased by the state. Count Ego, after all these and many more alienations, retired into the valley of St. Dizier in Champagne, where his consort was possessed of several estates, and where he died, about one hundred and eighty years after his ancestor Count Rudolph of

Lauffenburg had shared with Albert, the father of the great Rudolph, the territories at that time possessed by the house of Hapsburg.

Soleure. Soleure, about this time, purchased the seigneury of Balm,[3] where the ruins were still extant of the castle of the baron who had been accessary to the assassination of King Albert. Some other estates were bought of its co-burghers; nor did the city neglect the opportunity that offered of acquiring the two castles of Falkenstein above Balstal, in the Jura; which command the pass that is justly deemed the key of Helvetia, on the side of Basle and Alsace.

Basle. In this reduced state of the house of Austria, of the prelates, and of the nobility, the burghers of Basle found no difficulty in purchasing from Austria and their bishop, all the complicate rights each held in the town of Little Basle, on the opposit banks of the Rhine; and by this accession raised their city t the rank of one of the most considerable, in point of extent in all the upper part of the empire. Bishop Humbert, of th house of Neuchattel, whose ambition it was to exhibit a stabl of forty beautiful horses, had no scruple in sacrificing to thi taste, the strong pass of Wallenberg, which leads over th Hauenstein to that of Balstal, lately purchased by Soleure This he alienated to Basle; as also the pass at Homberg be low the former; Liesthal, the principal town in the Sisgau and even the Vidamy of Basle, the last remnant of his au thority in that city.

Thus, in a few years, and without wars or compulsive means have the Confederate cities of Helvetia acquired upwards o

[3] The village is now called Flummenthal: it lays on the Aar, a few miles belo Soleure.

CHAP. XI.

forty seigneuries from Austria and its vassals; some by voluntary surrender, but most of them by open purchase. The old maxim of rejecting territorial acquisitions was indeed relinquished on these occasions; but at this period no censure will apply for this deviation, if we reflect that the princes, in these times, in proportion as the nobility sunk into decay, had recourse to stipendiary forces, numbers of which they now began to enlist under their banners; and that by means of these, they would soon have crushed the various Confederacies it had been found expedient to oppose to the encroachments of despotism. The Helvetic cities guarded against this by encircling their walls with ample territorial dependencies, which defeated the purposes of their relentless adversaries, and enabled theirs to survive the leagues of the Suabian, Rhenish, and Hanseatic cities, which had not used similar precautions. The Confederacy, moreover, by these accessions, gradually obtained a preponderancy, which was soon felt in the scale of political equilibrium, and rendered its independence an object of equal solicitude and protection to all the states that composed the grand republic of Europe.

Domestic Occurrences

In the present reduced state of Austria, when it could no longer give any effectual support to its own dependencies, much less shield its more feeble allies, various towns, which had repeatedly struggled in its cause, even against the Confederates, found it expedient to sue for the protection of that very Confederacy whose strength they could not cope withal; and thus, still further, to contribute to its aggrandizement.

at Friburg.

The city of Friburg in the Uchtland, which had so often, in the cause of Austria, waged unsuccessful war against Berne, henceforth renounced all enmity, and demanded not only a

pacification, but a league. The principal senators of each city met in the church at Laupen, and agreed, 'That perfect 'amity should henceforth and for ever subsist between Berne 'and Friburg: that all mutual claims should be amicably 'adjusted at a diet, to be held occasionally at Wunniswyl; 'or, in cases particularly intricate, by arbitrators: that Fri- 'burg should henceforth stand in the same relation with the 'forest cantons, as Berne: that the empire be reserved, but 'not against unjust aggressors, who may assail them under the 'sanction of the empire: that there be a reciprocal exemp- 'tion of tolls in both cities: that men, who shall fly from one 'city for accidental homicide, may take refuge in the other; 'but that neither city shall shelter a murderer, an incendiary, 'or a robber.' Friburg soon after concluded also a perpetual league with the town of Bienne. 1403.

Shaffhausen.

Similar causes produced at Shaffhausen a like tendency to an emancipation from the authority of the dukes and nobles. The latter, here as elsewhere, alienated, by sale or mortgage, their lands, jurisdictions, taxes, tolls, and most of what they could transfer; all which was acquired by the community. This city now also received a municipal constitution, not unlike that of some neighbouring towns. The citizens, in the same manner as at Zuric, were distributed into twelve tribes, and companies: [*] a burgomaster, who now filled the place of the avoyer, was elected by the burgesses, both nobles and plebeian: the tribes and companies chose each a tribune; who, together with four nobles, whom that order still deputed, formed a senate: each tribe and company, moreover, elected 1411.

[*] The companies consisted of those trades to which no tribes had been appropriated, such as clothiers, &c.

CHAP. XI.

six of its members, who, together with six deputies of the nobles, and the sixteen members of the senate, composed the great council. Matters of the first importance, such as the defence of the country and the preservation of freedom, were still agitated at a general assembly of the tribes. Such was the origin of the municipal polity of Shaffhausen; by which democratic tumults, and the evils of an oligarchy, were equally obviated. The people preserved the right of election, which it is most competent to exercise. The office of tribune, being less lucrative than honorary, offered no temptation to sordid avarice or intrigue; hence worth and ability were the best titles to the preference; and hence also the young citizens, whom a laudable ambition prompted to aim at distinction, found it necessary to cultivate those qualifications which might one day recommend them to the free choice of their fellow citizens.

The community of Zug consisted of two parts; the town of that name, and the three rural districts, Menzingen, Bar, and Egeri. A difference arose about this time between them concerning the custody of the banner and public seal, which being referred to the forest cantons, occasioned some animosity at Schwitz, where the opinions were divided on the merits of the contest. The party that favoured the districts, from a predilection for the inhabitants of the country, being the most numerous, ventured, without the sanction of their magistrates, to commence hostilities; and actually marched, and took possession of Zug. The other cantons took the alarm: Lucern sent forces, and Uri and Underwalden deputies, to quell the disturbance. An accommodation was soon effected: the claims of the districts were found to be futile;

the landamman and senate residing at Zug were declared the supreme magistracy both of the town and country; and the Schwitzers were enjoined to pay six hundred florins to Zug, and four hundred to the Confederates, as indemnifications for the costs they had occasioned. When this award was heard at Schwitz, the people, ever zealous in the cause of justice whenever justice appeared evident to them, became enraged against those who had misled them: they expelled eight senators from the magistracy, and fined them in the sum of two hundred florins, towards the indemnifications: the remainder was paid out of the public treasury. Such was the spirit of rectitude that prompted this artless people, when unbiassed by insidious leaders

Glaris.

After their eminent success at Næfels, the men of Glaris found little reluctance in the Abbess of Seckingen, and the duke their advocate, to surrender to them, for adequate compensations, various feudal as well as fiscal prerogatives, both relating to the community at large, and to several private individuals. A landamman of their own choice was henceforth their chief magistrate; and this accession of independence induced Zuric to admit them into a perpetual league.

Fire at Berne.

Berne was making rapid strides in its political consequence, in the melioration of its constitution, which still kept verging towards a pure aristocracy, and in the domestic prosperity of its citizens, when it experienced a calamity which well-nigh proved the destruction of the whole city. A fire suddenly broke out in the evening of the fourteenth of May, which, spreading on all sides, consumed in a few hours above five hundred and fifty houses, the hospital, the monasteries of St. Michael, and of the unshod Carmelites, and all the rich stores

CHAP. XI.

and spoils taken after repeated victories, and which the burghers delighted to display on all public occasions. One hundred inhabitants perished in the flames: and the survivors, destitute of all necessaries, exhibited, among the unextinguished ruins of their dwellings, a lamentable spectacle of misery and dismay. On this disastrous occasion the Berners experienced every assistance that could be afforded by their neighbours, co-burghers, and subjects, who came from all parts with money, wine, corn, condolence, and consolation. Friburg sent one hundred men and twelve carts, and maintained them one month, for the use of the sufferers. All that was dug out of the ruins was restored to the proprietors. The city was now rebuilt with broad streets, convenient arcades, strong walls and towers, and many stately houses of nobles and wealthy burghers. Men of inferior rank received money, that they might build more substantially, and securely against accidents by fire. The town-house was erected; the arsenal established; and, a few years after, three canons were purchased at Nuremberg. All was soon restored; and splendor was even added to the city, and vigour to the state.

Decline of the Nobility.

The decay of the nobles, about this time, was greatly accelerated both by natural events, and by accidental causes. Otho Baron of Granson was killed in a duel with Gerard of Estavayer; and his rich inheritance, without any regard to the title of William, Otho's brother, was seized by Amadeus of Savoy, and the Count of Gruyeres. Henry, the last of the male line of the Lords of Montfaucon, the founders of Orbe and Echallens, perished at Nicopolis[5] by the hands of a janizary, on the same day that the renowned Ingelram de Coucy, the leader

[5] 1396; September the first.

of the English bands, was taken by the infidels, and thrown into a prison, where he died. Henry's yet surviving father bequeathed Monbelliard to his son-in-law, the Duke of Wurtemberg, in whose house it has continued to our days; and Lewis de Chalons, hereditary Prince of Orange, succeeded, likewise by female inheritance, to the seigneuries of Orbe and Echallens. The same Lewis obtained also part of the inheritance of the Lords of Cossonay, whose race became now extinct: the remainder of their estates devolved to the Count of Savoy. A warm contest, which arose between Conrad Count of Neuchattel, and his town of that name, induced both to demand the co-burghership of Berne; whence this city has, from that time to our days, been resorted to as the legal umpire between the sovereign of Neuchattel (the only one of the princes of Helvetia who still retains his hereditary dominions within its precincts) and his people. Geneva was at this time increasing in extent and population,[6] as well as in its ardent zeal for independence. Assemblies of the inhabitants, under various descriptions, are often mentioned in the documents of these times.[7] But the supreme authority still centered in the bishop and chapter, the Count of Savoy as vidame, and four syndics chosen annually by the citizens. The bishop was elected by the chapter, and confirmed by the pope; but he was not duly installed until he had sworn, at the great altar of St. Peter's church, to maintain the liberties of the city. He ranked among the princes of the empire,

[6] It is said to have at that time contained two hundred houses more than it does at present.

[7] Cives, burgenses, et habitatores. Annis 1410, 1413, and 1415,

CHAP. XI.

and often struggled with the Counts of Savoy, who on all occasions endeavoured to depress him into the class of their provincial prelates. The male line of the Counts of Geneva became extinct by the death of Count Robert, the schismatic Pope Clement the Seventh; after which the country was, by its feeble inheritors, wholly alienated to the house of Savoy.

Acquisitions in Italy.

It was deemed no small accession to the Confederacy when the men of Uri, assisted by a few Underwalders, possessed themselves of the great pass over St. Gothard into the plains of Lombardy. The Leventine valley is the first Italian district on the south side of this mountain: Riviera follows; and this is succeeded by Bellinzona, where a few hills on the river Ticino form a narrow pass, defended by a strong castle of the most remote antiquity, situated in the town bearing the name of the district. Down to this pass nature preserves its rugged aspect: the torrent descends in an unconfined channel, and over a succession of abrupt precipices, and seems to bid defiance to the restraining hand of man; and yet traces are not wanting, on the cliffs and in the caverns, of the industry and beneficence of ancient nobles, who, even in the barbarous times of the middle ages, sought to provide for the security of their dependents against robbers and inundations, and to afford them habitations on spots which to us seem inaccessible. Beyond Bellinzona, on to the lakes Maggiore and of Lugano, all nature smiles with a luxuriant variety of vegetation; and the arts have added abundance of embellishments to the splendid, but more placid scenery.

1402. Some men of Uri, bending their course to an annual fair at Varese, in the Milanese, descended the precipices of

St. Gothard with large droves of cattle. They had not proceeded far when the collectors of the Duke of Milan[8] seized on their oxen and horses, alleging the non-payment of certain tolls. These men, full of vindictive wrath, returned to their homes, and roused the indignation of their countrymen. Many remonstrances were, during six months, transmitted to the duke; but these producing no redress, the canton of Uri, and the upper district of Underwalden,[9] resolved to seek justice by force of arms. With their usual alacrity, they instantly displayed their banners in the vale Levinen, whose inhabitants, without hesitation, swore fealty to their conquerors. They agreed 'to obey the ordinances of 'their new sovereigns; to receive magistrates from them 'and to pay the stipends allotted them; to pay them the same 'taxes that had till then been levied by the Duke of Milan; 'to provide for the freedom and security of the pass; to 'receive auxiliaries from Uri and Oberwalden, and to main-'tain them, even though they came unsummoned.'[10] Albert de Sax Baron of Misox, a Rhætian lord, who had, either by arms or marriage, obtained from the Rusconis the sovereignty of Bellinzona, being unwilling to forego the superiority in this important pass, occasioned some disturbances at Abiasco, in the Riviera, which had joined in submission with the Leventines. The Swiss banners returned, in the midst of December,

[8] John Galeazzo Visconti.

[9] The name of *Oberwalden* is occasionally, and not unaptly, assigned to this district.

[10] The object of this last clause appears to have been to prevent the natives from bringing secretly Milanese forces into their valley, under a specious pretence of having been taken by surprise.

CHAP. XI.

over the snowy summit of St. Gothard, with a celerity that was productive of an immediate accommodation, by virtue of which the Baron of Sax, for himself, and for his territories of Misox and Bellinzona, became free of the two cantons, on
1407. condition that Bellinzona should ever remain an open town, and should never be alienated without the consent of the cantons; that the district pay an annual contribution of two hundred florins to the cantons; and that no tolls be levied in the pass, either upon the freemen of the cantons, or their dependents of Urseren, Levinen and Abiasco. The Swiss, even in their simplicity, were well aware of the native cunning of the Italians, and hence endeavoured to strengthen their treaties with what might be deemed severe conditions: but they were often over-reached, and when the deceit was flagrant, they defeated it with their halberts. An expedition into the neighbouring vale of Ossola, though in the main successful, yet was in the end productive of no better purpose than adding to the renown of the Helvetic arms.

Rhætian Leagues.

Whilst the Confederacy was thus spreading its influence over all Helvetia, and even beyond its natural boundaries, other leagues arose in Upper Rhætia, which were in the sequel absorbed in the Helvetic union. This country, a large portion of the higher Alps, the most rugged perhaps of any in Europe, where the horrors of desolation, amidst perpetual ice, alternate with softer scenes of cultivation in numberless meandering valleys, abundantly watered by limpid streams and foaming torrents; and where, within narrow limits, all the varieties of nature are contrasted with a sublimity that baffles all description; this region was, from its asperity, peculiarly adapted to, if not productive of the most determined spirit of

independence, and calculated to foster all the virtues and vices of a hardy, stern, and tenacious people. Hence do we find that its early barons paid scarce any deference to the empire; and that when in the sequel many of their domains devolved by inheritance to foreign lords, each community became gradually, not only independent, but also absolute within the narrow bounds in which it was, in a manner, immured by nature.

The Barons of Sax and Razuns, the Counts of Werdenberg and Tockenburg, the Bishop of Coire, and the Abbot of Disentis, were, at the commencement of the fifteenth century, the most powerful lords in this sequestered region. The domains of the Baron of Sax extended, as we have seen, towards Italy, in the valleys of Masox and Bellinzona, to which he added the rich inheritance of the house of Belmont, near the sources of the Rhine. Ulric Brun, Lord of Razuns, had made such considerable accessions to his hereditary estates, as to be inferior to none in wealth and consequence: besides the influence he derived from his alliance with the Count of Tockenburg, whose sister he had married, he purchased the whole valley of Saffien from the Count of Werdenberg; and from the house of Planta the vidamy of the valley of Tomiliasca, held as a fief from the see of Coire, but which the bishop,[11] who did not approve of this transfer, soon after recovered by force of arms.[12] The district, that particularly owned the supremacy of the bishop,[13] branches out in three

[11] Hartman of Werdenberg.

[12] The territories of these two barons, and those of the Prince Abbot of Disentis, constituted the chief part of what was since called the *Grey League*.

[13] Since called the league of the *House of God*.

CHAP. XI.

directions, the one down the Rhine towards Sargans: the other, extending to the south, terminates in the narrow vale of Pregalia, where, in their high suspended mansions at Soglio, the illustrious house of Salis have, from time immemorial, influenced a people that never owned a sovereign except the empire: the third, or eastern arm, extends down the Inn to the confines of the Tyrol; here the fertile dale of Engadine has long been the principal residence of the Plantas, and to this day preserves the remains of the language once spoken by the conquerors of the universe.[14] To the eastward of Coire are the valleys of Schamfick, whose principal village, situated under an impending rock, sees its grave perpetually suspended over its head; and of Pretigau, whose verdant hills rise gradually out of rich meadows and corn fields: Davos lies higher; a lofty plain, inhabited by a numerous community, often secluded from the rest of mankind by the wreck of shivered precipices.[15]

Hartman of Werdenberg, Bishop of Coire, in conjunction with John of Werdenberg, his kinsman, probably with a view to strengthen themselves against rivals, gave the first example, in this country, of an union for mutual aid and security.

1396. Having convened their vassals and dependents among the mountains above Coire, they received their oaths, by which they bound themselves reciprocally at all times, and with all their might, to maintain their sovereign lords, and succour each other in their just claims, and against all aggressors. A

[14] The Ladin: no doubt a corrupted dialect; but who expects to find Romans even at Rome?

[15] These two valleys, and this plain, formed since the best part of the league of *ten jurisdictions*.

few of the communities reserved previous compacts among themselves; and the bishop not only confirmed the treaty by oath, but bound all his successors to swear to the due observance of it. Thus arose the first of the Rhætian associations, which, from the dependence of most of its members on the metropolitan church of Coire, obtained the name of the league of the House of God. The prosperous example of the Helvetic Confederacy thus spread around it its own spirit of independence; and no doubt prompted many powerful, but provident nobles and prelates, to a nearer intercourse with their subjects, and to favour combinations which they well saw they could not obviate. The feud between the Bishop of Coire and the Baron of Razuns, concerning the vidamy of Tomiliasca, appears to have given rise to a similar compact between this lord, the Baron of Sax, and the Abbot of Disentis, which was soon followed by a formal union between them and the freemen of Glaris. This union, it was agreed, should last as long as their native rocks and valleys. It provided for the mutual defence of the parties, without pay or compensation, within their respective boundaries; Glaris reserving its oaths to the Swiss cantons, and the Baron of Sax his fealty to Milan, unless the duke were to deny justice. This was considered, at Coire, as a conspiracy against the bishop; and his retainers, proceeding to acts of violence, seized on the cattle some men of Glaris had driven among these mountains. The shepherds of Glaris, unused to brook an affront, much less to put up with an injury, gathered auxiliaries from their Confederates, and came in force near the walls of Coire, collecting booty as they advanced, and spreading terror even into the episcopal palace. Having raised what they deemed a sufficient compensation

CHAP. XI.

for the damage they had sustained, they returned; and th Austrian bailiff at Sargans mediated an accommodation.

Werdenberg.

The ancient house of Montford, or Werdenberg, h branched out into three lines, distinguished by banners three different colours, the red, the black, and the whit The first had no concern in Helvetia, their territories bei beyond its frontiers: the second held ample domains on t Rhine, from Mayenfeld down to the lake of Constance, of t best part of which it had been gradually stripped by Austri the third possessed the county, and assumed the name of Sa gans.[16] This branch had long been more powerful than the hou of Hapsburg; but the latter produced one great man, and i fortune rose to the highest pitch of grandeur: a proof th personal merit, and a due regard for superiority of charact are not of such trivial import as some men of high birth a willing to imagine.

Tockenburg.

Frederick Count of Tockenburg, nephew and heir of D natus who fought at Næfels, was not less powerful in Rhæt than all the banners of Werdenberg collectively.[17] Haugh and severe in his disposition, he excited murmurs among h subjects, which, dreading lest they should claim the protec- on of the Swiss, induced him to apply to Zuric for an alli- nce. His offer was accepted; and it was stipulated, that uric would assist him, at its own expence, in all emergencies, articularly against his seditious subjects, whom the city en- aged to preclude from any union with the Confederates: ıe count on his part was, likewise at his own cost, to take ıe field in behalf of Zuric, and to participate in all its

[16] The above named Hartman, Bishop of Coire, was of this branch.

[17] Especially in what is now called the league of the ten Jurisdictions.

engagements with Austria. The territories of Frederick extended from the frontiers of Zuric to the river Inn; it is not therefore to be wondered that Zuric, in its selfish policy, should not only have been willing, but even desirous, to strengthen itself by the accession of so powerful a co-burgher. Had the Tockenburghers been as vigilant as the people of Neuchattel,[18] Zuric would no doubt have guaranteed their privileges, and not have afforded an odious example of a free city countenancing the oppressions of a tyrant. The most favourable construction that can be put upon this transaction is, that Zuric meant to avail itself of this union in order to interfere occasionally in behalf of the defenceless people.

Such was the state of Rhætia in the earliest period of its associations. The imperial fiefs, in the Italian part of Rhætia, the communities of Poschiavo, Bormio, Valteline, the castle, town and county of Chiavenna, and Plurs, were at this time vested in John Galeazzo Visconti, first Duke of Milan. Mastino, his refractory cousin, having seized on, and been afterwards compelled to relinquish these districts, made a formal grant of them to the Bishop of Coire. This grant remained unnoticed until the Dukes of Milan felt that the Rhæti were formidable.

Appenzel.

The domineering nobles, in the midst of these general and strenuous exertions in favour of liberty, experienced now, with equal surprise and indignation, an unlooked-for opposition from a few villages in the Alps,[19] which, as a collective body, had not as yet obtained a name; and which, weary of oppression, formed themselves into a community that soon commanded respect by its victories; reduced, in the short

[18] See p. 333.

[19] Not above six in number.

CHAP. XI.

space of five years, and with scarce any aid, five towns, sixty castles, and many proud banners; spread its arms from the Thur to the Adige, and has maintained itself to our days with equal vigour and reputation. This is the small republic of Appenzel.

Proceeding from St. Gallen to the southward, a path leads over verdant hills and through rich vales, decked with numberless habitations, to an insulated group of mountains, scarce yielding in elevation to the loftiest summits of the higher Alps. From the top of the Sentis, the highest of its pinnacles, are viewed the distant plains of Suabia as far as Wurtemberg, the rugged Tyrol, and to the south, the snowy chain of the Rhætian Alps. Among these precipices lived an ancient race, consisting of freemen and vassals, who with unremitted labour had drained the swamps, cleared away the forests, and introduced an arduous culture. The first sovereign they owned was the King of the Franks, who, at what time is uncertain, made them over, by grant, to the neighbouring abbey of St. Gallen; reserving, however, to the crown, the taxes, levies of forces, and criminal jurisdiction (all which devolved afterwards to the empire) and to the freemen their long established privileges. The sovereign power was thus, as it frequently happened in those days, distributed among various superiors, and was hence no where absolute. The villages of Appenzel and Urnash, deep in the valleys, and Tuffen and Hundwyl, at their entrances, paid tribute to the empire, and in some respects acted in common; whilst the district from Gaiss to the Speicher, extending along the heights above the Rheinthal, was a distinct jurisdiction, in which justice was administered by native magistrates, in the name of the abbot. The

mountains round Herisau, and towards Tockenburg, had become a fief in the hands of Rudolph de Roshach, a vassal of St. Gallen.

Cuno de Stauffen, Abbot of St. Gallen, having gradually obtained, not only the estates of Roshach, but also, by mortgage, each of the imperial prerogatives within these valleys, became possessed of all, except the love of the people. He was austere, and his substitutes correctly imitated his conduct: his bailiff at Schwendi laid an annual excise upon milk, butter and cheese; and kept two great dogs, whom he set against all those who were remiss in their payments. The bailiff at Appenzel was so merciless a collector, that on the death of a poor defaulter, he was not satisfied with seizing the best coat he had left behind him, but ordered him to be dug out of his grave, and stripped of the shroud in which his indigent children had caused him to be buried. All imposts were levied in a manner insupportable to the people. (1390.)

This people, reared in a clear Alpine air, and inured to hardships; a tall, healthy, vigorous race; free-minded, strictly honest, tractable when used with lenity, but stubborn to injustice; these men, who could neither be deluded by sophistry, nor warped by fear, and who perceived almost intuitively the best expedient in every emergency, being now well acquainted with the temper of the abbot and the spirit of his administration, formed, after various partial meetings, a general assembly, in which their principal grievances were fully discussed, and the example of the Swiss was hinted at. They were conscious that no people excelled them in courage and patriotism, and being now well assured of each other's sentiments, they resolved to act in concert: they grasped

CHAP. XI.

their arms, and having attacked and demolished the castles, the bailiffs consulted their safety, and fled beyond the frontiers.

The chapter of St. Gallen having of late been so much reduced as to be wholly destitute of the means requisite to oppose this threatening evil, called in the assistance of twelve imperial cities on the lake of Constance and the adjacent Suabia, with whom it was allied. A conference between all parties hereupon took place, in which the men of Appenzel declared; that they were ready to yield to the abbot all the submission to which he had a just claim; but that they would endure no injustice or oppression: they moreover requested, that the abbot would henceforth name his substitutes from among a certain number of natives to be proposed by them. The allied cities joined with the abbot in rejecting this offer, and even proceeded so far as to abrogate the union that had been formed among the villages, protesting at the same time, with a profusion of conciliatory words, that the abbot would require nothing from them but what was just and lenient. The officers of the abbot returned now into the valleys full of resentment and insolence, imprisoned those whom they considered as the authors of their late expulsion, and manifested on all occasions a most relentless spirit of rancour and animosity. Such were the prejudices they inspired into the people, that none of their most trivial actions were henceforth considered as harmless or unintentional.

Joined by St. Gallen.

The town of St. Gallen, which surrounded, and owed some allegiance to the abbey, but enjoyed a free government, now also exhibited heavy complaints on account of the non-observance of an agreement to which the prelate, urged by

his necessities, had readily consented. Conrad de Watt was this year burgomaster of St. Gallen, and governed the same, with a senate of free citizens, and according to established laws. The city had no territory, but many neighbouring lords were its co-burghers, and steadily attached to its interests: it was comprised in the great league of the Suabian cities; and as a place of commerce, had entered into a compact with Nuremberg for a mutual exemption of tolls. Its independence rose with its prosperity, and in the last years of King Wenceslaus, it was near being wholly emancipated from all dependence on the chapter; the abbot having, in fact, issued a declaration, dictated by his necessities, which implied an absolute release. The non-performance of this engagement was the cause of the remonstrance now brought forward by the city, and gave rise to an alliance with Appenzel. The town of Wyl, which had ever been zealously devoted to the chapter, and the ecclesiastical vassals of Wittenbach, Waldkirch, and other neighbouring places, manifested also an equal spirit of discontent, chiefly on account of oppressive taxes. The abbot offered redress to some of these towns, in hopes of preventing a threatened combination; but in vain, St. Gallen declaring its steady purpose to abide by its union with Appenzel. Cuno, alarmed at the impending storm, hastily withdrew, with the whole chapter, to his town of Wyl; only one monk being left in the abbey, who shut the choir, and suspended all public service.

(1400.)

This measure caused a great ferment in the deserted city. The Suabian league interposed; and after much negociation, the burgomaster of Ulm at length effected an accommodation, by which the burghers of St. Gallen received redress, their league with the Suabian cities was confirmed, but their

CHAP. XI.

alliance with Appenzel was positively annulled. This award granted to the abbot all he contended for, namely the means of obviating all combinations among his dependents; and to St. Gallen, what it considered as most conducive to its interest, a firm union with the Suabian cities in support of its rights and prerogatives. Both parties acquiesced, and congratulated each other in the happy issue of the contest; but not so the Appenzellers: they, their energy being as yet unknown, had not only been no ways consulted in the negociation, but their interests had been wholly disregarded in the award. When this award was read to them, they listened attentively to the first articles; but when they heard that the league of St. Gallen with the Suabian towns was confirmed, and immediately after that their own alliance with that city was annulled, they instantly cried out 'treason,' and became tumultuous. One of them, however, a man of temperate courage and sound judgment, said to the messengers from the cities, 'Report to your masters, that we of Appenzel do by no 'means accede to this award; that when we, and the burghers 'of St. Gallen, consented to an arbitration, it was on condi-'tion that equal justice should be dealt out to us; but that 'equal justice has been denied us: tell the abbot also that we 'perceive his drift; he means to oppress us; why else should 'he oppose our league with St. Gallen?' The people, full of indignation, thought themselves mocked and insulted by the haughty senators, and felt conscious that they did not deserve so humiliating a treatment. The hearts of these artless shepherds were henceforth wholly alienated from the Suabian cities.

A man of vigour, who is firmly bent on a laudable pursuit,

should he be deprived of all the hopes he had just reason to entertain, will, however, provided he continue true to himself, seldom fail to meet ultimately with the countenance and support that will enable him to achieve his purpose. These people, seeing that they had nothing to expect from the city of St. Gallen, which had now even entered into a league with the abbot, met their landamman in the village of Appenzel, and swore to stand by each other to the last extremity, in support of their freedom. They hereupon sent to the seven Swiss cantons,[20] and requested their alliance. Fortunately for them they obtained what was sufficient to support their courage, but not enough to permit them to neglect their own means, and place their whole trust in others. Five of the cantons, either too distant, or being biassed by the abbot, declined the offer. Schwitz, ever desirous to impart freedom, accepted the union without hesitation; and Glaris declared, that all who were willing to engage in the cause of Appenzel were at liberty to follow their inclination. Two hundred men of Glaris took to their arms, and marched over the mountains into these valleys.

The abbot now called upon the allied cities to assist him against his rebellious subjects in the mountains; but they, preferring conciliatory measures, sent a deputation to Appenzel to offer terms of accommodation. The people briefly answered, 'The repeated oppressions of the abbot, and the partiality of 'your cities, have compelled us to form an alliance with 'Schwitz; to this we are resolved to adhere, and with this 'reservation we offer to accede to an arbitration of the

[20] When only seven cantons are mentioned, Berne is the one excepted. This state, on account of its remoteness, often took no share in the concerns of the others.

CHAP. XI.

'Confederates.' George Erns, the deputy, replied, 'We shall 'ere long know how to reduce your stubborn spirits. They said, 'Our cause is just; and in such a cause, God favours 'the brave.'

1403. Early in the ensuing spring, the towns of Constance, Ravensburg, Uberlingen, Wangen, Buchorn, and Lindau, sent forces against the refractory peasants; and the city of St. Gallen also spread its banner in the cause of the abbot. The shepherds, stationed on the heights of Appenzel, saw the approaching army, gave the appointed signals, and the valleys, now for the first time, heard an alarm. All able to bear arms, after receiving the blessings of their aged fathers, and bidding farewell to their wives and children, resorted to the banner. About two thousand met under Jacob Hartsh, their captain, and marched to the eminence above the village Speicher. The descent from thence to St. Gallen, although stony and rugged, is not steep: in one place the road leads through a hollow way, between high grounds, covered with wood. The combined troops of the abbot, after having been liberally feasted at St. Gallen, drew out, on the fifteenth of May, towards the mountains: the Appenzellers meanwhile, aware of the importance of this decisive day, slept little in the preceding night, partook of the frugal store they had brought with them, and carefully occupied every advantageous post.

Battle at the Speicher.

At daybreak, the army of St. Gallen, consisting of five thousand horse and foot, ascended the acclivity and entered the defile, unapprized of the three hundred Schwitzers and two hundred men of Glaris, who occupied the woods on either side: they no sooner reached its upper extremity, than they were instantly assailed by eighty slingers, who, after severely

galling them, returned to their stations; the Schwitzers and men of Glaris at the same time made a similar attack on the rear, which was advancing slowly into the narrow pass. Whilst this column was making every effort to extricate itself from its confined position, a body of Appenzellers appeared suddenly from behind the upper heights. The cavalry, which led the van, no sooner saw the approach of these tall vigorous men, of a daring aspect, than they repented of the contempt in which they had held this rude peasantry. Perceiving the expediency of alluring the battle, if possible, into the more even ground below the defile, they called loudly to those who immediately followed them, to fall back. Whilst they were thus retreating, not in the best order, the men of Schwitz, Glaris, and Appenzel, fell suddenly, from the woody heights, upon both their flanks. The rear, perceiving this retrograde motion, thought that the head of the column had been worsted, and fled in great disorder towards St. Gallen. Their pursuers instantly placed themselves in the interval left by this hasty retreat, and had they been sufficiently numerous, would have surrounded all those who remained above them in the pass. The horse, restrained in all its movements, gave up the contest, and dispersed. In this rout perished the two burgomasters of St. Gallen, by the hands of those with whom they would have conquered had they been true to their engagements. The road to the very gates of St. Gallen was strewed with dead; four cities lost their banners, and above six hundred cuirasses were taken. Many of the burghers of St. Gallen, when they reached their homes, acknowledged that they owed their lives to the remembrance of former friendships with their present foes. Hartman Ringli had been

CHAP. XI.

mortally wounded: a shepherd of Appenzel was levelling a final death blow at him, when he implored for a short respite, that he might once more see a beloved wife, but two days before delivered of a son. The shepherd dropped a tear, called some of his companions, and with them bore Hartman to the gates of the city. His wife being apprized of this, lost sight of her own danger, flew to the spot, kissed the blood from off his wounds, and attended him until the succeeding day, when he expired. Every shepherd of Appenzel, who after this came to St. Gallen, was sure to be kindly received, and hospitably entertained by this pattern of conjugal fidelity.

Jacob Hartsh gave now the signal to stop the havock; and though many of his followers, after so great a rout, were eager to enter St. Gallen, yet they all obeyed. Their loss was inconsiderable. They returned to the field of battle, and there offered up thanks to the Almighty, who, in this first conflict in their country's cause, had thought them worthy of so complete a victory; and then repaired to their homes. They thanked the men of Schwitz and Glaris for their friendly aid, and gave them their share of the booty; and the Schwitzers now congratulated themselves on having admitted so brave a people into their union. The city of St. Gallen was likewise soon after reconciled, and even established a friendly intercourse with them.

The victors being well aware that the abbot would not abstain from further hostilities, demolished the principal castles within their valleys, and made some inroads upon the lands of the abbey, in order to strike terror, and cause their arms to be respected. The Suabian towns, meanwhile, weary of the detriment this disastrous war occasioned to their

commerce, earnestly requested the prelate to listen to terms of accommodation; but Cuno, having received intimation that Austria was inclined to afford him assistance, was deaf to all proposals. The cities hereupon made a separate peace; and the Appenzellers, in order to deprive the abbot of the support of the nobles who held estates within their valleys, conferred on the vassals of these lords, the same independence which they themselves enjoyed, and which they prized above all things, and were determined to maintain. The indignation this excited in the abbot and among his nobles soon reached the court of Frederick Duke of Austria, who was told, 'That the men 'of Appenzel were emulating the Swiss, and would soon, from 'a desire of excelling them, become still more outrageous; 'that suffering them to proceed in their audacity, and to join 'the Confederacy, would soon bring on the final ruin of the 'nobility of Helvetia.' The duke answered, that he would, without delay, send a sufficient force to chastise the insolence of these mean and unruly peasants.

While the abbot, and the nobles of St. Gallen, flushed with renewed confidence, were prognosticating the impending ruin of their base adversaries, came Rudolph Count of Werdenberg, of the black banner, into the valleys of Appenzel, and, at an assembly of the people, said; 'You know me well, hearty 'friends and fellow sufferers. I am a Montford, of a race that 'yields to none in antiquity and splendor of nobility; but 'what is nobility without honour and independence? Behind 'that rock is Werdenberg, the seat of my forefathers. Yonder 'valley, the Rheinthal, you well remember has long been go-'verned by my ancestors, my father, and myself: all has been 'wrested from me and my brethren by the insatiate thirst of

CHAP. XI.

'Austria after accumulated dominions; and this in recompense for a long series of eminent services: but who seeks gratitude and justice from men who hold unlimited power? I know the dukes: they cherish the servile lords, to whom they grant, as a favour, the privilege of cringing at their courts: they scorn the ancient free-minded nobility, and under pretence of preserving order and tranquillity, seize their castles, and retain them in their possession. I am well apprized that the duke is collecting forces in the Tyrol to attack you. The oppressed should firmly unite; and I offer to espouse your cause, and to maintain it with all I have left of my once splendid fortune, my experience in the mode in which the Austrians conduct their wars, the valour of my ancestors, my sword, my blood. Place confidence in me: a Montford was never yet perfidious.' The shepherds knew Count Rudolph to be a brave and skilful warrior; but they doubted whether he would conform to their rustic manners. Being, however, well assured of the sincerity and firmness of
1404. his purpose, they admitted him into their community. He henceforth laid aside all marks of distinction, and lived among them as a shepherd: he soon gained their affections, and they elected him their captain. They raised intrenchments in their passes, and renewed their league with Glaris.

Duke Frederick, meanwhile, was hastening his preparations. His forces assembled early in June at Arbon, on the lake of Constance; and the seventh of the month was appointed for the march towards St. Gallen, which had now openly declared for Appenzel. Considerable bodies of men were at the same time sent up the lake, and into the Rheinthal, to effect a general attack on various sides of the country. The morning

CHAP. XI.

At the Stoss.

was overcast, and proved rainy: the detachment in the Rheinthal marched up the steep ascent from Altstetten, came to the intrenchment that had been thrown up to guard that entrance, and finding no opposition, sent two hundred archers to open a passage through the trench. This being effected to a small extent, the whole penetrated and took possession of a post called the Stoss.[21] Having with great difficulty, on account of the slipperiness of the turf, greatly increased by the rain, advanced too far to retreat with impunity, four hundred men of Appenzel, with a few from Schwitz and Glaris, came forward on the heights, and rolled down large masses of stone and timber upon them. The Austrian archers, their bowstrings being wet, shot their arrows in vain. Werdenberg, bare-footed like all his followers for the sake of a firmer tread on the moistened sod, ordered an attack. At the same instant appeared, on a neighbouring eminence, a troop clothed in white, who threatened the flank of the enemy: these were the wives of the Appenzellers, worthy of their mothers, whose fame is recorded by Tacitus.[22] The men under Werdenberg fought to great advantage, being much favoured by the slipperiness of the soil, which they knew how to encounter, but for which the Austrians were not prepared. This attack proved fatal to the Avoyer of Winterthur, and ninety-five of his burghers; to eighty burghers of Feldkirch, and to the Lord of Slandenberg from the banks of the Adige, who struggled long, but in vain, to defend his banner. George Erns, who two years before had bid defiance to this people, paid now the forfeit of his arrogance. All these and many

[21] A boundary.

[22] Tacit. de Mor. Germ. c.

CHAP. XI.

others fell, because, not having made the breach in the intrenchment of sufficient width, they found themselves hemmed in; the dampness of the day, at the same time, depriving them of the means of resistance. The streams of blood, that now tinged the descending torrents, gave notice in the valley of the havock that had been committed; and this intelligence was soon after followed by the few stragglers who had escaped the carnage.

At Hauptlisberg.

Early on the same day arrived Duke Frederick at the gates of St. Gallen, but found the place too well defended to hazard an attack. He was returning towards Arbon, when four hundred burghers, who had come unobserved out of the city, suddenly fell upon his flank from the Hauptlisberg, an eminence they had gained by secret paths; and after a very considerable slaughter, threw the whole into confusion. Here Shaffhausen lost its banner, and several of its most distinguished burghers. Frederick however proceeded; and as soon as he found himself on a favourable spot, he drew up his forces, and offered battle; but the burghers were not so rash as to engage on such unequal terms. The day declined; the duke continued his retreat, the four hundred still harassing his march from the adjacent heights; and arriving late at Arbon, met the news of the defeat at the Stoss.

Frederick, weary of this inglorious war, and yet unwilling to return to Inspruck without one wreath of laurel, resolved to procure it by a stratagem. He gave out at Arbon that he meant to return to the Tyrol, and confirmed the report by a display of all the necessary preparations. His army was ordered to march into the Rheinthal, where vessels had been stationed for crossing the river: secret instructions were at

the same time given, that on reaching the entrance of that valley, the troops should on a sudden ascend the heights towards Appenzel, and, if not reduce, at least pillage the country. The least advantage, he knew, would at his court be magnified into a splendid victory. One of his officers, to whom the secret had been entrusted, betrayed it, perhaps accidentally, to a young woman of Appenzel, who immediately cautioned her countrymen. The appointed day arrived, and the army, reinforced by the subjects of the abbot, advanced towards the Rhine. Having reached the foot of the Wolfshalde[23] they ascended with all possible speed, but not in the best order. On a sudden they met four hundred of the shepherds, who fell upon them with their usual shouts and impetuosity. The Austrians collected near a church, and, confiding in their great superiority of numbers, maintained a most obstinate conflict. Many fell on both sides, but at length the valour of the shepherds prevailed; the Austrians gave way, and the death of each Appenzeller, who perished, was revenged by the slaughter of at least ten of his adversaries. The duke seeing his weakened bands rushing precipitately down the mountain, partly disarmed, and with few of their ensigns, execrated the disastrous war, made over the command of his vassals in Thurgau to Frederick Count of Tockenburg, crossed the Rhine, and returned to Inspruck.

At the Wolfshalde.

A defensive alliance, for a term of nine years, was now concluded between the city of St. Gallen and Appenzel; and the latter renewed its union with Schwitz. Many hostile towns and districts, dreading the impression of the arms of a

[23] A mountain that declines from the side of Appenzel towards the borders of the lake.

CHAP. XI.

people so dauntless and victorious, solicited to be admitted into their alliance. Feldkirch was received for a term of ten years. The lower Tockenburgh, Wesen, Windeck, and the whole Rheinthal, forsook the Austrian power, and sheltered themselves under the wings of this union. The men of Appenzel proved to Rudolph of Werdenberg, that he had not erred when he confided in their courage and affection: they drove the Austrians from his castle, and restored it to its legitimate proprietor. They also proved their gratitude to Schwitz by marching, in the depth of winter, into the Gaster, and, having wrested from the duke the Lower March and some other districts, surrendering them to that canton.

1406. No offers of accommodation being proposed, the men of St. Gallen and Appenzel crossed the Rhine, and prosecuted the war with vigour towards Upper Rhætia and the Tyrol. Hearing that the Tyrolese complained heavily of injustice and oppression, they marched to their relief, and were received with joy and gratitude. They met the duke's mercenaries, and repulsed them: they demolished many castles, took several banners, which had till then been wholly unknown to them. They had advanced far into the country, when news was brought them, that the ducal forces threatened another invasion from the lake, and that Cuno was endeavouring to raise the whole empire against them. They immediately returned, and their presence frustrated whatever hostile attempts might have been projected. Before the end of the year they resolved to bring the abbot back to his choir and holy relics. They went in force before Wyl, which, after five days of feeble resistance, capitulated. The chiefs intimated to the abbot, that he would gratify the wishes of the people, if he would return

with them to his abbey. The prelate, pale, hoary, emaciated, and dismayed, came forth to the troop, who viewed him with compassionate reverence. Many spoke comfort to him; they aided him to mount his horse, and escorted him to the abbey, where he was received with sympathy by all those who knew how to commiserate misfortunes. Cuno, revived by this reception, and perceiving that his best security would be the friendship of the people, against whom he had so obstinately contended, placed himself and his abbey under the protection of the burgomaster, senate, and burghers of St. Gallen, and of the landamman and community of Appenzel. CHAP. XI.

In the ensuing year, the men of St. Gallen and Appenzel appeared before Constance, and proceeded thence down the Thurgau, purporting either to compel the Austrian vassals in that province to a lasting peace, or to exterminate them. They were spoiling the lands about Winterthur, when news was brought them, that a numerous body of Austrian cavalry had crossed the Rhine at Shaffhausen, and threatened their frontiers. They summoned their allies; but the Austrians, unacquainted with the country, having deviated towards the Argau, they found themselves at liberty to prosecute the war all around them: they crossed the lake, and in the depth of a most rigorous winter, sat down before Bregenz. It must appear a matter of just surprise, that this small people, solely supported by its own energy and the justice of its cause, struggling with the whole force of Austria, of the Abbot of St. Gallen, and all its powerful neighbours, should, during five years, in which it took upwards of sixty castles, and demolished more than one half of them, have experienced no check. 1407.

CHAP. XI.

whatever, and have purchased its victories with a loss scarce perceptible in its population.[24]

The principal nobles, not only of Helvetia and Suabia, but also of more distant provinces, aware of the danger to which the progress of this dauntless people exposed their grandeur and authority, formed six associations, for the purpose of restraining their further progress.[25] They were countenanced

1408. by Rupert, King of the Romans, and early in the next year came with eight thousand horse and foot to the relief of Bregenz. On the thirteenth of January, a thick fog stood over the lake, and facilitated their approach. The first onset was furious; but the besiegers sustained it with their wonted firmness. Their commander, Conrad Kupfershmid of Schwitz, however, and eight of his men, having been killed, and eighty men of St. Gallen and Appenzel taken, they retired, but in such good order that none thought it safe to join in the pursuit.

Peace. King Rupert came now to Constance, and summoned before him the Suabian lords, and the deputies of St. Gallen and Appenzel. He reproved the latter for their unwarranted league, the demolition of so many castles, and the abolition of the usual imposts. The men of Appenzel answered: 'that the 'whole blame lay with their adversaries: that they, being 'freemen, under the protection and sole authority of the em-'pire, had been illegally mortgaged to the Abbot of St.

[24] As an instance of their simplicity it is recorded, that at the taking of a castle they burnt all the plate and furniture they found in it, but carefully secured some bags of pepper, which they shared among themselves with great exactness.

[25] They afterwards formed into one general association, under the name of St. George's Shield.

'Gallen: that he had increased their taxes; and that his 'substitutes had wantonly oppressed them: that instead of 'submitting a difference that had arisen between them, to the 'decision of the empire, as their privileges demanded, an 'attempt had been made to compel them by arms into sub-'mission: that what had followed was the consequence of this 'injurious treatment: that driven by necessity they had for-'tified themselves by alliances with those who, like themselves, 'had asserted their native liberties when wantonly attacked: 'that they sought no dominion; but only desired to be main-'tained in their ancient rights and privileges, without which 'their existence would be intolerable.'

The king, after much deliberation, decided against Appenzel. His decree pronounced as follows: 'Whereas the league 'between St. Gallen, Appenzel, and other Confederates, was 'made against the laws of the empire, it is hereby declared 'null and void, and may never be renewed without our special 'approbation: each lord shall be paid the revenues due to 'him; but no lord shall resent the insults of the late war: 'all bans and interdicts are hereby rescinded, except the papal 'excommunication, which we cannot repeal: our dear son's, 'the Duke of Austria's, title to the March usurped by Schwitz, 'shall be reserved, as well as all his claims upon the Count of 'Werdenberg.'

The men of Appenzel heard with disdain the repeal of their league, which they knew was amply justified by a rescript of the Emperor Charles the Fourth, which had authorised the Swiss Confederacy. They considered the decree as partial and oppressive; and yet on the other hand, though confident that they could effectually defend their own mountains, they

CHAP. XI.

saw that their distant acquisitions must be exposed to the power of Austria, and of the associated nobles and the empire: they therefore accepted the hard conditions; but they met, and mutually engaged by solemn oaths, that they would ever and firmly hold together, in defence of the freedom they had inherited from their fathers; and, in confirmation of this intimate union, they decreed that the whole country should henceforth unite under one banner.[26]

Respecting the abbot, the king ordained: 'that as the country of Appenzel had been by former emperors mortgaged to the abbey of St. Gallen, the said abbey should remain in possession of it until it be redeemed: that this country pay all the arrears of taxes, and make ample reparation for all the damages it had occasioned to the chapter: but that in its administration, the abbot should follow the example of Herman de Bonstetten, his revered predecessor.' As this decree did not obviate the abuses that had occasioned the war, it was not accepted; and King Rupert died before he could cause it to be enforced. Thus ended a destructive war, which would not have happened had Cuno been better acquainted with the temper of his people.

Unite with Seven of the Cantons. 1411.

The Appenzellers, confining themselves now alone to the defence of their country, strengthened themselves by alliances with the Count of Tockenburg, the Lord of Sax, but more especially with seven of the cantons, who did not hesitate to admit them for ever into their union. But as the public weal rendered it necessary that Appenzel, in the pride of its independence, should not involve the Confederacy in perilous wars, the new allies agreed never to take up arms without the

[26] Each village before this had its own banner.

approbation of the Swiss. They even consented to assist the Confederates with all their force, and at their own expence; while, in their own wars, they agreed to be content with whatever succour the cantons would please to send them, and to allow pay to the auxiliaries. The Swiss further stipulated, that they should either jointly with, or without Appenzel, be authorized to add to the number of articles of this treaty, or to rescind such as might appear to them exceptionable.

In the same manner as in a family, every member co-operates with different powers towards the common interest, so, in this Confederacy, were the ties that united the different cantons of various import, according to the circumstances under which each of them was enabled to contribute to the exigencies of the whole. None were admitted to equal rights in the Confederacy without previous and unequivocal proofs of their temper and energy, both in peace and war.

One month after the promulgation of the above decree, died Abbot Cuno, full of years, worn down by misfortune, and as little commiserated by those who thought him a bad, as by those who considered him as a weak man. He was succeeded by Henry Lord of Gundolfingen, who conciliated the affections of the burghers of St. Gallen by declaring, that he would hold his ecclesiastical court no where but in their city, and that he would prosecute a burgher before none but the city magistrates. The Appenzellers refused to acknowledge him until he had admitted both their own domestic union, and their league with the Confederates. The abbot, unwilling to comply, renewed the ban and excommunication; but they, conceiving that whoever has a good conscience cannot be excluded from the communion of the church, paid no regard to

CHAP. XI.

the ecclesiastical censure; and the welfare of their cattle was not obstructed by the ban of the empire.

A fifty Years Peace.

The twenty years truce between Austria and the Confederacy was now near expiring, when Duke Frederick, influenced no doubt by a new association of the nobles, equally directed against the formidable progress of the Confederates, and his neglect of their own concerns, proposed a further prolongation

1412. of it. On the twentieth of May it was agreed, that the eight ancient cantons, and their allies of Soleure and Appenzel, be confirmed in the peaceful possession of all they had acquired either by arms, surrender, or purchase; that even Schwitz should retain their contiguous March; and that all the rights that still pertained to Austria, whether feudal, of levies, or for the redemption of mortgages, be reserved and solemnly confirmed to the duke. A process for the decision of all future differences was agreed upon. Sixteen towns of the neighbouring hereditary dominions, summoned for the purpose by the duke, certified that this treaty had been concluded with their concurrence; and engaged to promote the strict observance of it. Its duration was extended to the term of fifty years. It was finally ratified and proclaimed on the eighth of July, about one hundred years after the first Duke Leopold had commenced an inglorious war against a few hundreds of Swiss shepherds.

Recapitulation.

Thus have we briefly delineated the rise of the Helvetic Confederacy, and its gradual increase in territory, power, and martial fame: and related how the nobles, partly through pride and rashness, and in a great measure by the extinction of the most powerful families, were deprived of their superiority, and the best part of their wide domains; in what manner the

forest cantons established a dominion beyond St. Gothard; how the Rhætians first confederated among themselves, and afterwards with Glaris; and how effectually the Appenzellers struck terror into the nobility, and earned a reputation which procured them an alliance with the Helvetic cantons. These striking events, combined on the one hand, with the progress in the moral and civil institutes of the eight ancient cantons, and on the other, with the distracted state of the Austrian power, will sufficiently evince the cause which, after the decisive day of Sempach, transferred the superiority in these parts gradually from the nobles to the people. The great princes who ruled, besides Austria, were the two sons of Charles the Fourth, Wenceslaus King of Bohemia, and Sigismund King of Hungary: both were feeble and often unfortunate. They had more territory than money, and no commander of superior talents in their armies; nor indeed were they endowed with sufficient capacity to draw men of superior merit out of obscurity. The greatest disorders prevailed in the church, and throughout Italy, France, Spain, and the north of Germany. Although necessarily exposed by their situation to these incessant struggles, and after a century of arduous conflict, the Swiss had now arrived at a state of permanent polity, which insured their domestic tranquillity, and procured them the respect of their less fortunate neighbours. Uri commanded both sides of St. Gothard; Schwitz was terrific in arms; Underwalden still retained the undaunted spirit it displayed when it repelled the attack of Strasberg; Zug, in the midst of its conciliating allies, had neither foreign attacks nor domestic feuds to fear; Glaris preserved its courage and honest purpose; Lucern, Zuric, and

CHAP. XI.

Berne, were secure within their strong walls and lofty towers, and formidable to all around them by their extensive territories, numbers of castles, and abundance of subjects and opulent co-burghers: but to nothing were they more beholden for their aggrandizement than to the wisdom, vigilance, and courage of their rulers, both in peace and war. The Swiss Confederacy, though it had not as yet admitted all the members it has since incorporated, was however at this time fully established, and had spread its benign influence over all Helvetia and the Rhætian Alps.

# BOOK II.

## THE PROGRESS, DECLINE, AND DISSOLUTION OF THE CONFEDERACY.

## CHAP. I.

### *Councils of Constance and Basle.*

CHAP. I.

AN assembly so numerous, so splendid, and important as the general council which, in the beginning of the fifteenth century, met at Constance, a city which, although no part of the Helvetic body, was yet situated within its natural boundaries, must have been noticed in this place, even though the incidents to which it gave rise had been less conducive to the further aggrandizement of the principal states which then composed the Swiss Confederacy. A short retrospect of the events which gave rise to this grand convocation will, it is hoped, appear by no means foreign to this history, when it is considered that it presents a view of society, and delineates manners, in which the Helvetic tribes, from their centrical situation, necessarily partook in common with the greater part of the nations of Europe.

The Hierarchy.

No sooner had the increase of the human species given rise to the variety of separate professions to which individuals

CHAP. I.

devoted themselves exclusively, than even the worship of the creator, the main object of our existence, became gradually the sole occupation of a distinct set of men, for whom ample provision was made, that they might (being exempted from the cares of worldly affairs) devote themselves wholly to the contemplation of the supreme Being, preserve in its original purity the revelation of his will, instruct mankind therein, and preside at the celebration of holy rites. After the coming of the Saviour of the world, these duties appear, without any peculiar designation, to have devolved to men, who, besides their religious zeal and sanctity of manners, were likewise venerable for their age;[1] while younger proselytes were not only willing, but even ambitious, to assist the reverend fathers in their sacred functions.[2] Some among the priests, superior to the rest in personal or local pre-eminence, undertook the task of superintending the religious concerns of an extensive district;[3] and several of these, jointly submitted to the guidance of the superintendant of a large city or metropolis,[4] forming thus an ecclesiastical province.

The benefits these orders conferred upon mankind, in the purity of their original institutions, are too manifold to be here enumerated: but in no instance, perhaps, have they deserved better of the human race, than by having essentially contributed to soften the ferocity of the rude nations, who, when the Roman empire had lost its protecting energy, spread horror and devastation over the fairest parts of Europe. The persuasive arguments, and impressive examples, of the holy

[1] Presbyters: from whence the more usual appellation of priests.

[2] Deacons, or assistants.

[3] Bishops.

[4] Archbishops and patriarchs.

men who performed these arduous, and in many instances, perilous duties, received additional weight from the sanction of a supreme spiritual authority, which centered now in the pontiff at Rome, whose mysterious sway was admitted with reverence by the rude barbarians, to whom he was represented as the immediate organ of the divinity.

The clergy, thus formed into subordinate ranks, and long accustomed to announce, expound, and enforce the decrees of heaven, assumed gradually a habit of command, in which the people (from a firm persuasion of the superiority of their wisdom, learning, and piety) readily acquiesced, as long as the order kept within the due bounds of reason and moderation: but motives like these, from the fatal propensity of human nature to arrogate power, did not long controul the aspiring tempers of the ecclesiastics. Religion and policy became gradually blended together; and the former soon lost its pre-eminence over the latter. Pride and ambition invaded the breasts of the higher ranks; and envy and hatred, construed indeed into a fervent zeal in behalf of orthodoxy, often suppressed not only the voice of nature, but even the milder dictates of christianity. Atrocious vices, which few took pains to conceal or even to palliate, shook the faith of the bewildered multitude; and the christian world became gradually divided between timid superstition and gross infidelity.

The twelfth and thirteenth centuries exhibited the most flourishing æra of the hierarchy, during which men of talents and courage, like the first and second Fredericks, and the sixth Henry, kings of the Germans, struggled with unabated

CHAP. I.

vigour, but ever in vain, to prescribe limits to the all-pervading power of the Roman pontiff. Boniface the Eighth, at the beginning of the fourteenth century, seems to have raised the papal authority to the highest pitch of its enormous grandeur. He wielded equally, and with like efficacy, both the temporal and the spiritual sword: [5] his unexampled arrogance, however, soon alarmed the hitherto torpid submission of the secular princes; and though the struggles for superiority between the ecclesiastical and secular powers, still continued for above a century; yet even the most able of the prelates, who sat on the papal throne during that period, felt that their authority was thenceforth to be maintained rather by policy, than by the uncontrouled ascendency their predecessors had exercised over the minds of men.

Had the successors of Boniface been men of common virtue and energy, that policy would probably have still prevailed; and a spiritual power might perhaps, in our days, have opposed an insurmountable bar to the inroads of anarchy and irreligion, of late, for a time, triumphant: but this power, like most others which have been subverted, owed its decline much less to the temper of the times, than to the want of sagacity in those to whom it had been entrusted. Sovereigns had now, by the decay of their nobility, and the practice they introduced of maintaining permanent forces, acquired a preponderancy which enabled them to counteract the influence of opinion; and unfortunately for Rome, the triple crown rested,

[5] He declared to Albert of Austria, that he was both pope and emperor; and conformably to this assertion, he, at a jubilee, wore one day the pontifical, and the next the imperial insignia.

r the most part, on heads which knew not how to secure it ainst impending ruin. Liberal writers also,[6] formed by the viving taste for ancient erudition, slighted the dark cavils of holastic casuistry, and warped the public opinion from the ve it had long entertained for the successor of the prince of e apostles. Even the proud Boniface experienced in his tter days, the prevailing ascendency of the French mo- rch,[7] and is reported to have died of grief at the superiority tained by this rival for power. A native of France[8] soon ter filled the chair, and, prompted by national predilection, d the gratitude he owed to the French monarch for his ex- tation, in an evil hour, removed the papal seat from Rome pwards of fifteen centuries the metropolis of the western orld, and the residence of near two hundred of his prede- cessors) to Avignon, a provincial town in France; where, had the successors of King Philip inherited his spirit, the head of the church would infallibly, in a short space of time, have dwindled into the subordinate rank of grand almoner to that kingdom.

After a series of seven popes had, during seventy years, resided at Avignon,[9] Gregory the Eleventh, compelled by the Italians, at length restored to Rome the splendor it owed to the presence of the supreme pontiff. On his death, the cardinals chose Urban the Sixth, a Venetian, who, even in the (1378.) better times of the pontificate, would have revolted people minds by the profligacy of his life and manners: but th French monarch, unwilling to forego the influence he derivec

[6] Dante, Petrarcha, Boccacio.

[7] Philip le Bel; but more properly, the Bold. [8] Clement the Fifth.

[9] The Romans called this period, the seventy years of exile and captivity.

CHAP. I.

from the ascendency he had now long possessed over the head of the church, promoted another election at Fondi, where Robert Count of Geneva was chosen. This antipope assumed the name of Clement the Seventh, and repaired to Avignon, where he resided the remainder of his days.

Here began the great schism, which, for upwards of thirty years, distracted the church, and was the source of accumulated crimes, miseries, and deadly feuds. Insurrection, violence, and perfidy, prevailed throughout the christian world: and, as if the confusion occasioned by the repeated promotion of two rival popes had not been sufficiently deplorable, Alexander the Fifth, a third competitor, was elected at Pisa; Benedict the Thirteenth, and Gregory the Twelfth, having been first formally, though not virtually, deposed. John the Twenty-third, successor to Alexander, having been compelled to fly from Rome, resorted to Bologna, at the same time that Sigismund King of the Romans visited Lombardy. The king was met at Lodi by the Cardinals Challant and Zabarella, commissioned by the pope to exhort him to co-operate in bringing about a general council for redressing the disorders of the church, which had now become intolerable: Sigismund readily acquiesced; and the city of Constance was chosen for the meeting, on account of its centrical locality, the amenity of its situation, and the facility it afforded of supplying all necessary provisions and conveniencies.

A Council summoned

1414. Whilst messengers were conveying the summons for this assembly to the most distant parts of christendom, Sigismund, on his return to Germany, tarried some time in Swisserland, and on the fourth of July made a pompous entry into Berne, attended by the Counts of Savoy and Montferrat, a numerous

etinue of men, and upwards of fourteen hundred horses. The magnificence and hospitality with which he was received nd entertained, are circumstantially detailed by the histoians of the time, and are a curious document of its manners.[10] After three days of incessant feasting, he repaired to Soleure; nd it was not till he had reached Basle, that the Swiss depuies took their leave of him. He thence proceeded to Aix-a-Chapelle, where he was crowned; and then returned to Constance.

The Pope, John the Twenty-third, shewed the greatest isinclination to cross the Alps; and nothing but his firm reance on the friendship and protection of Frederick Duke of Austria, would probably have prevailed upon him to hazard his dangerous step. The duke, whose power was formidable o all his neighbours, was at this time in the prime of life, omely in person, and of brilliant, though uncultivated talents. He came to meet the pope at Trent, and soon gained his entire onfidence: they advanced through the Tyrol, and on the wenty-eighth of October, in the evening, made their public ntry at Constance, attended by nine cardinals, many bishops, riests and nobles, and upwards of six hundred horses.[11] The oncourse from all parts of Europe (even from Constanople) of princes, prelates, and nobles of all descriptions; of aders, mechanics, and all that could administer to the conenience and gratification of such a multitude, exceeded all xpectation.[12] Many came to exhibit their riches and mag-

[10] Considerable sums appear to have been paid by the magistrates for the hire of ourtezans.

[11] The pope is said to have brought with him a treasure of one million of ducats.

[12] The number of strangers at Constance is said to have exceeded one hundred

CHAP. I.

nificence; many to display their learning and eloquence; and still more, merely to gratify curiosity, and the love of pleasure: perhaps the fewest came for the purposes for which the assembly had been convened; and among these, the greatest number had solely in view to frustrate those very purposes.

The council was no sooner opened than the pope perceived that his abdication, as well as that of his two competitors, would be the previous step demanded towards the intended reformation; and conscious that the profligacy of his character, when under immediate inspection, would ill recommend him to a subsequent election, he execrated the hour when he left Italy,[13] and meditated a speedy retreat, vainly flattering himself that his absence would put an end to the assembly. The Duke of Austria likewise found cause to repent having approached so near to the monarch who considered him as a vassal. While King Sigismund, surrounded with the state and magnificence, which he was apt to substitute to real grandeur, was receiving the homage of many illustrious princes and nobles, he was particularly solicitous to obtain that mark of submission from Duke Frederick, the most powerful among them. The duke, being summoned, demurred, claiming an ancient privilege by which he was entitled to receive the investiture in his own dominions, and on horseback. The altercation this gave rise to, confirmed a previous antipathy, which, while it was productive of

and fifteen thousand. There are historians who do not scruple to affirm that this was the grandest assembly ever known.

[13] He declared on coming within sight of Constance, 'Yonder is the trap in 'which foxes are taken.'

important consequences in various parts of Europe, had a peculiar influence on the condition of the Helvetic states. The king, conscious how unable he was singly to make any impression upon the force of Austria, sent earnest solicitations to the Swiss, to join with him in humbling the power by which they had been so repeatedly insulted and oppressed. His overtures, however, were constantly, though respectfully, declined at various congresses held for the purpose, at which all the ancient cantons (Berne only excepted, which demanded time for deliberation) declared, 'that having recently concluded 'a fifty years peace with the Duke of Austria, which he had 'no ways infringed, they did not deem themselves at liberty 'to appear against him in the field.'[14] Frederick, alarmed at the negociations carried on by Sigismund, promised to satisfy him in all things; and, in hopes of exciting the jealousy of the Confederates, offered great advantages to the king if he would assist him in humbling that stubborn people. The king's mistrust of the duke's sincerity however prevailed; and in order to insure the good will, though he could not as yet obtain the assistance of the cantons, he hastened to apprize them of the hostile intentions of their hereditary foe. Frederick, thus committed, made solemn declarations of his peaceable disposition; and the Swiss could not be prevailed upon to break their neutrality.

The pope, probably with a view to facilitate his escape, read publicly, and solemnly confirmed by oath, his abdication; but soon after, availing himself of the diversion afforded to all ranks by a splendid tournament in a plain near Constance, he

[14] The cantons had, a few weeks before the king's requisition, refused to admit the Bishop of Constance into their league, because he was an ally of Austria

CHAP. I.

disguised himself in the habit of a groom, and, attended only by a boy, left the city, and proceeded to Shaffhausen. The duke, who at this time was engaged in the lists, and was purposely prolonging the combat, no sooner learnt that the pope had effected his escape, than he yielded an easy victory to his antagonist, and hastened to meet the fugitive. The consternation this flight occasioned at Constance was followed by a meeting of the prelates, in which it was decreed, 'that the 'present council should, notwithstanding the late defection, 'continue in full authority, prosecute its labours towards the 'union and reformation of the church, and be still considered 'as its immediate organ.'

The king hereupon assembled a diet of the spiritual and temporal princes of the empire, which the Duke of Austria was called upon to attend. Not having obeyed the summons, he was pronounced guilty of contumacy and rebellion, and declared in the ban of the empire: and even the council proceeded to issue a sentence of excommunication against him, enjoining the king to enforce the penalties annexed to it, and to protect the church against his impious rashness. All ties of duty towards him, and all his treaties of alliance were declared null and void; and the fathers of the church even promised full absolution in favour of all those who should join in bringing him to condign punishment. The whole empire armed. It were tedious to enumerate all the counts, barons, imperial cities, and districts, that joined the banner of King Sigismund. Frederick Burgrave of Nuremberg,[15] commanded the combined army, which advanced on the twenty-eighth of

[15] The first Elector of Brandenburg of the house of Zollern, from whom the present royal family of Prussia is descended.

March towards Shaffhausen. The Swiss, in this general convulsion of the church and state, were not left unsolicited, They were now summoned, on their allegiance, to join the imperial standard: but all (except the Berners, whom the king endeavoured to bring over by grants of sundry privileges) still persisted in the faithful adherence to their treaty.

On the twenty-ninth of March the pope, hearing of the approach of the burgrave, hastened to Lauffenburg, and thence proceeded to Friburg, in Brisgau: and the duke, after having admonished the burghers of Shaffhausen to remain stedfast in the allegiance they had long faithfully maintained towards his house, followed the degraded pontiff, purporting, no doubt, to avail himself of the treasures the latter still possessed, in order to raise forces in his hereditary dominions in the Argau, to oppose to the imperial army. The burgrave meanwhile advanced into Thurgau, and sent summons to Shaffhausen, which was no less dependant on the empire than on the dukes of Austria. The city yielded on the sixth of April, and was received into the sole and immediate protection of the empire. Many nobles and towns of Thurgau, and even the powerful Count of Tockenburg, followed the example of that city; and the duke saw defection all around him.

Berne takes the Argau.

The Berners, on receiving intelligence of these successes, and hearing moreover that Zuric was wavering in its peaceful disposition, resolved, in hopes of acquiring dominions without the participation of the other cantons, to obey the summons of the empire, and to fall suddenly into the Argau. They collected all their forces from the Oberland and the banks of the Aar, and all their co-burghers from Soleure, Bienne, and

CHAP. I.

Neuchattel, and, under an imperial banner, invaded that province, and made their first attack upon Zoffingen.

The Zurichers, perceiving the drift of Berne, shewed less reluctance to listen to the repeated solicitations of Sigismund. They, however, requested once more that they might be allowed to continue true to the observance of their fifty years truce; but added, that if the king should think fit to send them another summons, he would please to add a formal declaration of the opinions of other sovereigns, and of men eminently learned in the laws, concerning the ground which might justify their breach of the treaty. The Confederates hereupon met in a congress at Schwitz, and there received the following rescript: 'The electors, and the princes, counts, 'and lords, spiritual and temporal, of the holy Roman empire, 'the doctors of civil and canon laws, and the plenipotentiaries 'of the kings Henry of England, Eric of Scandinavia, Ladi-'slaus of Poland, and Wenceslaus of Bohemia, having met by 'a special commission to deliberate on the observance of the 'fifty years peace between the Duke of Austria and the 'Helvetic Confederates, after maturely weighing every motive 'of honour and justice, have declared their decided opinion; 'that the Confederates, as members of the empire, are called 'upon by their allegiance to join its banners whenever duly 'summoned; their first and most sacred duty being that 'which binds them to the empire and to the church; these, 'in all treaties whatever, being either expressly or tacitly 'reserved.' The king added, 'that having, in the plenitude 'of his power, as supreme head of the empire, decreed to make 'war against a rebel, he solemnly called upon the Confederates

to act conformably to their duty, and join his forces; that he, by virtue of his sovereign authority, did previously but solemnly grant to them whatever conquests they might make upon Austria during the progress of this war; and moreover enjoined that, the duke being possessed of many domains, jurisdictions, revenues, and feudal services, within the cantons, the Confederates should on no account admit him any longer to the enjoyment of them, since they were legally forfeited to the empire.' A messenger from the coun-il of Constance came also about the same time, and brought a menace of excommunication if they still persisted in their ardiness. The cantons (Uri excepted, which still could not reconcile itself to a breach of faith) being thus invited, ex-horted, commanded, and threatened, banished all further scruples, sent a declaration of war to the duke, and drew out their forces in all directions.

The ardour of the principal cantons not to be behind-hand n seizing on their destined prey, gave uncommon celerity to heir operations. Berne, Zuric, and Lucern, not only strove to be foremost in their conquests, but were unwilling to admit of co-operation, being well aware that auxiliaries would claim a right to co-regency. The Berners having reduced Zoffingen, advanced to Arburg, where a strong citadel threatened a vigorous resistance: but hearing that the forces of Zuric had passed mount Albis, and were advancing towards the Argau, and that Lucern had already taken possession of Sursee, they resolved to blockade the castle, and proceed with all possible expedition in their premeditated conquests. They appeared before Arau on the same day that the troops of Zuric, the forest cantons (even including Uri, which had now

CHAP. I.

waved its opposition) and Glaris, met at Mellingen, on the river Reuss, which town, as well as Bremgarten, immediately surrendered to the empire and the cantons. Arau, after three days siege, yielded to the arms of Berne and Soleure. The Berners hereupon, after detaching a body to the proud castle of Lenzburg, marched on to Bruck, and in their way crowned their successes by seizing on Hapsburg, the ancient hereditary seat of the house of Austria, and once its sole domain. Bruneck, the seat of the Geslers, whose ancestor, when he trampled on the liberties of the Swiss, little dreamt of the ruinous effects of his oppressions, yielded to the first summons. Having thus, in eight days, taken seventeen towns, burghs, and castles, and occupied a large, populous, and well-cultivated province, with the loss of only four men, they made the conflux of the Aar and Reuss, the boundary of their conquests, and returned to their respective homes. They retained the supremacy, the levies, and revenues of all their new acquisitions; and gave to Soleure two thousand florins, and to Bienne half that sum, for their assistance.

Zuric makes Conquests.

The troops of Zuric meanwhile, unwilling to interfere with Berne, ascended the fertile vale between mount Albis and the Reuss, and occupied the rich and extensive bailiwick of Knonau. Jointly with the six other cantons, they now undertook the siege of the city of Baden, the strongest and most important of the Austrian fortresses in Helvetia; in whose lofty castle the dukes had deposited their archives; in which they, and other sovereigns, had frequently resided; and where most of the hostile attempts against the forest cantons, the march to Morgarten, and the expedition to Sempach, had been projected. After repeated and unsuccessful efforts,

which consumed above double the time that had been required to subdue the Argau, they summoned the Berners to their assistance, who without delay sent fifty horse, one thousand foot, and a body of artificers and artillery, to their assistance. These having opened a wide breach in the wall the garrison retired into the citadel. Incessant attacks were made upon this formidable bulwark, until the brave governor Burcard de Mansberg, hearing that the duke had yielded to his adverse fortune, and that there were no longer any hopes of being relieved, accepted of an honourable capitulation.

The duke who, during the progress of this disastrous war was with the pope at Friburg in the Brisgau, receiving from all quarters intelligence of the ruinous attacks made upon his dominions,[16] lost all his energy, became incapable of listening to the remonstrances of the pope, and many of his zealous friends, who strove to revive his courage; and, yielding to the well meant, but degrading persuasions of Lewis Duke of Bavaria, repaired with him to Constance.[17] Here this Bavarian duke, and the newly created Elector of Brandenburg led him before a grand assembly of the prelates, which the king had summoned on the occasion. On entering the spacious hall, at the further end of which Sigismund sat in state Duke Frederick knelt thrice, and being asked what brought him thither, the Duke of Bavaria answered: 'Most gracious 'and mighty king; this is Duke Frederick of Austria, my

[16] The Count Palatine, the city of Basle, the Count of Tockenburg, the Bishop of Coire (whom he had not long before imprisoned) and many others, had now invaded his territories.

[17] He charged the pope, before he left him, not to return through France into Italy.

CHAP. I.

'cousin: at his desire, I implore your royal pardon for whatever offence he may have given you, and the holy council: 'he surrenders himself, and all belonging to him, to your 'mercy and pleasure; and offers to bring back the pope to 'Constance, on condition, however, that his person and property shall remain inviolate.' The king, raising his voice, demanded: 'Duke Frederick, do you engage to fulfil these 'promises?' The Duke, in faultering accents, answered, 'I 'do; and humbly implore your royal mercy.' The tone in which he uttered these words struck all the hearers with compassion. He next took the oath by which he surrendered all his dominions, from the Tyrol to Alsace, to the king; submitting to hold, whatever he might please to restore, solely from his favour. The king, addressing the Italian prelates, said, 'You well know, reverend fathers, the power and con-'sequence of the Dukes of Austria: behold now what a King 'of the Germans can accomplish.'

The Elector of Brandenburg hereupon repaired to Friburg, and brought back the pope to a place of safe custody near Constance. All respect for his dignity and person were now laid aside. The follies of his youth, the more criminal acts of his riper years, his lust, his avarice, all were revealed; so that the man, who, during five years, had been reverenced as the supreme arbiter of christian virtues, was now held up as a miscreant, who, abandoned to all vices with and without a name, merited the abomination of all ranks of society.[18] Duke Frederick, among all his losses, regretted none more than the surrender of Baden. He repaired to the king, and solicited that he would appropriate that city to the empire, trusting,

[18] Vas omnium peccatorum.

CHAP. I.

o doubt, that it would one day be restored to him. Sigis- nund wrote to the Swiss, announcing that the war they had vaged in his name being now concluded, he enjoined them to ay down their arms, and to deliver Baden into his possession. The Swiss answered, that the warriors who had forced that ity and its strong castle to surrender, would not easily be revailed upon to place it in other hands. The king, who not ong before would gladly have given half Austria to the Con- ederates, heard this with apparent anger, and instantly sent orces to summon the city and castle of Baden, in the name of he empire: but these troops, on arriving in sight of the place, aw with surprise and indignation, the flames by which the nce stately castle was now nearly consumed. At a congress t Zuric, where the several conquests were appropriated, Berne vas confirmed in the possession of all it had taken in the argau; Zuric received Knonau; and Lucern the town of ursee, with some dependencies: and after much deliberation, n which Uri, again reverting to its former maxims of primi- ive integrity, insisted that all acquisitions should be sur- endered to the emperor, and peremptorily refused to share n whatever sovereignty should be retained, it was agreed that he county of Baden and the free bailiwicks along the Reuss, rom Mellingen to the frontiers of Lucern, should be held in ommon by six of the cantons; Berne, which had been amply ortioned, and Uri, which refused all accession, being, with heir own consent, excluded. The six cantons agreed to send lternately a bailiff into each district for the term of two ears; and to name, annually, delegates or syndics to examine nto the conduct of these officers, and to audit their accounts.

CHAP. I.

These were the first dominions held in common by different cantons.

After the close of this campaign, a contribution was raised on all such as had remained at home, to reward those who had exposed their lives. Glaris was, by the imperial authority, declared wholly exempted from all the allegiance it owed to the Duke of Austria, as Advocate of Seckingen: the advocacy of the abbey of Einsidlen was transferred from Austria to the canton of Schwitz: and the supreme municipal jurisdictions at Zug, Underwalden both above and below the forest, and Uri, were vested solely in their respective landammen. Several of the lords, who had been worsted in the conflict, became co-burghers. The king, after having once more claimed the surrender of all the conquests of the Confederates, and received for answer, that when he was urgently soliciting their assistance, he had formally granted them the possession of all they might acquire, at length, for the sum of five thousand florins, made over to Berne all the towns and castles they had taken in the Argau, as an imperial mortgage, which none should ever be allowed to redeem but a head of the empire, in favour of the empire, and never without the consent of the city. For four thousand five hundred florins he transferred to Zuric, with similar reservations, the towns of Mellingen, Bremgarten, and the rest of the free bailiwicks, with power to admit others of the Confederates to a joint property. Berne was soon after received into the co-sovereignty respecting the county of Baden.

The Council dissolved.

Two of the antipopes having, in consequence of the decree of the council, relinquished all claim to the pontifical dignity,

it now remained to obtain also the abdication of Benedict, the third competitor, who had peremptorily refused compliance, and to avoid compulsion had withdrawn from Avignon into Spain. King Sigismund, ever disposed to undertake a distant journey, repaired to Perpignan, where he met the resolute pontiff, and urged the propriety of his submitting to the authority of a general council. Benedict maintained his claim with much address and a variety of argument, and the interview proved ineffectual. The king, after visiting the French and English courts, returned to Constance. Benedict was declared contumacious, schismatic, and a heretic; and the assembly proceeded to deliberate on the reformation of the church: but the Italian cardinals, whose views were not so well inclined to favour that object, resisted the measure, and after the death of Robert Bishop of Salisbury, the most strenuous of their adversaries, succeeded in their opposition. A conclave of two and twenty cardinals declared, on the eleventh of November, the election of Count Otho Colonna, a Roman, to the papal chair. The new pope, who, in honour of the saint whose festival was celebrated on the day of his election, assumed the name of Martin the Fifth, with infinite address found means to postpone the intended reformation; and under various pretences, he, on the twentieth of April, gave his solemn benediction to the assembly, and dismissed it. Well pleased at this happy release from an authority that was now deemed superior to his own, he proceeded, on his return to Italy, through Shaffhausen, Baden, and Lenzburg, where he was met by the deputies of Berne, and conducted in great state through Soleure to their city. Here he tarried ten

CHAP. I.

1417.

1418.

CHAP. I.

days, and was entertained with all the splendour the burghers were wont to display on similar occasions. After remaining three days at Friburg, he repaired through Lausanne to Geneva, and thence to Florence, where he fixed his residence. On his way, and particularly at Berne, he celebrated high mass, with all the pomp and solemnity of hierarchical magnificence, conferred sundry privileges on churches and monasteries, and appointed penitentiaries with ample powers to grant absolution to repentant sinners. He offered to sanction marriages, within the degrees of kindred prohibited by the canons; but was reminded that he could indeed pardon, but was not allowed to authorise transgressions.

Except in its unjustifiable proceedings against John Huss, and Jerom of Prague, in which Sigismund, who had granted safe conducts to these deluded victims, is perhaps more to blame than the prelates, it must be acknowledged that the council of Constance contributed essentially to the restoration of order in the church. The reformation in the ecclesiastical discipline, which was one of its principal objects, was not indeed effected; but a prospect was held out that another council would ere long accomplish this desirable end. It is memorable that during this immense concourse, which continued three years and a half assembled in a town of no great extent, perfect tranquillity, health and plenty, never ceased to prevail within its walls; and that although the morals appear to have been abundantly relaxed, they did not however contaminate those of the inhabitants of the neighbouring country, the disparity perhaps being too great for imitation. Of the simplicity of the Swiss at the present period

CHAP. I.

we have the evidence of an eye-witness,[19] who paints, in lively but not very delicate colours, their genuine hilarity, and their unsuspicious freedom of intercourse between the sexes; features which many have considered as indications of primitive and innocent manners.

War of Raron.

During the sitting of this council, troubles broke out on the frontiers of Italy, which had well-nigh involved the Confederacy in a civil war; and was the first instance of the difficulty that ever after obstructed the reconciliation of the jarring interests, and repugnant claims, of the many members and coburghers that composed this collective and complicated state. Guiscard de Raron, a baron of one of the most ancient indigenous families, was second to none in the Valais in riches and authority. He was the chief magistrate of his province, co-burgher of Berne, and either uncle or father to the bishop of Sion. Although a man of great rectitude, yet his proud and contemptuous spirit, and still more his avowed partiality for the house of Savoy, gave umbrage to the people; the hardiest of whom, those of the upper dizains,[20] rose in open rebellion,[21]

[19] Fr. Poggio. Epist. ad Nicolaum "Omnibus una mens, tristitiam fugere, quærere hilaritatem."

[20] The Valais was, till within this year, divided into ten dizains or tithings, seven in the upper, and three in the lower district. The latter were in fact subjects to the former. At what time this distribution took place does not appear upon record.

[21] The mode in which the authors of the commotion effected their purpose, is singular, though analogous to what popular leaders ever practise in order to concentrate the various grievances complained of into one single image, word, or sentence. They produced a club, on which a human face was rudely sculptured, and tied it to a young birch tree, which they plucked up by the root. This they called *the Mace*, and set it up as an emblem of the injured people. The figure was asked who it had chiefly to complain of; and the names of the principal families being called over, when that of the person aimed at was mentioned, it was made to bow profoundly in token of humi-

CHAP. I.

and sent to their neighbours of Uri and Underwalden, to propose a league, and demand assistance.

The baron, when these Swiss confederates had of late entered the vale of Ossola, had spoken so slightingly of their valour, declaring that had it fallen to his lot to oppose them not one of them would have returned to his native mountains, that, resenting the insult, they listened to the proposal of the insurgents, and prepared for effectual aid. Raron, in hopes of restoring tranquillity, surrendered his civil office, and even withdrew out of the valley; but reports were industriously spread that he was gone in quest of foreign aid, and would soon return and subdue the country. He had, in fact, repaired to Berne, to claim the support to which he was entitled as a co-burgher; but he found the minds of the rulers too much intent upon their expedition into the Argau to obtain a favourable hearing. He then applied to Amadeus of Savoy,
(1416.) whom Sigismund had this year raised to the rank of duke, and who immediately caused his troops to occupy the episcopal castles; whilst Raron sent all the forces he could collect, and with them his consort, a lady of the illustrious house of Razuns in Rhætia, his children, his domestics, and best effects, into the strong castle of Sion, where the bishop likewise thought it prudent to take refuge. Havock and devastation prevailed now throughout the devoted country.

liation, and earnest entreaty for relief. All those who took compassion on it drove a hob-nail into the trunk of the tree, thereby denoting their number and firm resolve, without betraying their names. When the number was thought sufficient, this pageant was carried throughout the country, and placed before such houses and castles as were doomed to destruction. Whoever reprobated the violences committed by the insurgents was threatened with the Mace; and the person who was the principal object of the conspiracy, had no option but that of flying the country.

The baron returned to Berne, and by dint of remonstrances and entreaties, and through the mediation of Sigismund, who, as head of the empire, committed to the canton the re-establishment of order and tranquillity in the Valais, obtained a promise of immediate succour. This being made known, some of the people of Frutingen, a valley of the Oberland, proceeded to acts of hostility, and seized some effects that were conveying into the Valais. The exasperated insurgents, after investing the castle of Sion, climbed, in full armour, up the mountain Gemmi, which the hardiest travellers never attempt without trepidation, and recovered the effects. Their allies of the forest cantons, meanwhile, reluctant to engage openly in a cause which was opposed by Berne, agreed with the people of the dizain of Gombs, to renew their attack upon the vale of Ossola. They prevailed upon some burghers of Zuric and Lucern to join them, and found little difficulty in driving the troops of Milan and Savoy out of the valley. A peasant of Underwalden brought back the banner of Savoy, and hung it up in the church of his village.

A tumultuous congress of the Confederates was now held at Lucern, in which the reciprocal conduct of the contending parties was severely arraigned, and as strenuously vindicated. The Berners declared that no power should induce them to withhold the protection they owed to a co-burgher against unlawful violence. The forest cantons asked whether the co-burghership of Raron was to be preferred to the perpetual confederacy? The neutral cantons interfered, and procured a temporary cessation, one of the preliminary articles of which was the surrender of the castle of Sion. The baroness, her children, and domestics, and the bishop, with part of their

CHAP. I.

effects, descended in mournful silence, and had scarce passed the gates when they beheld the castle involved in flames. They joined Raron at Berne.

The banner of Berne at length drew out; and the senate summoned the Confederates, even those in league with the Valais, alledging that the confederacy was prior to this league, and claimed the preference. Raron repaired to the Oberland, and his manners being softened by adversity, obtained many adherents, who joined him in a sudden expedition down Mount Sanetsch to Sion, where they drove the inhabitants from their dinners, and set fire to the city. He burnt several other towns, villages, and castles; but hearing that a force was coming down from the upper dizains, he re-ascended the mountain loaded with spoil. The Valaisans in their turn came into Upper Hasli, and drove away large flocks of sheep. The Berners having collected all their co-burghers and allies from Friburg, Soleure, Bienne, and Neuchattel, and having even been joined by three hundred Schwitzers, descended, thirteen thousand in number, partly into the dizain of Gombs near the Furca, and partly into the lower district of Siders. The people of Uri and Underwalden, being deterred by the resolute conduct of Berne, though they paid no regard to the summons, yet abstained from all further interference in the contest. The insurgents were now awed, and seeing most of their houses on fire, and their cattle in the hands of the invaders, shewed a disposition to relent. Thomas Bundt, however, a common peasant, and Jacob Minichow, a parish priest, two names that must be rescued from oblivion, collected six hundred men, and made so effectual a stand at the village of Ulrichen, near the upper end of the valley, that the Berners,

being perhaps satiated with carnage, and apprehensive of being cut off by the approach of winter, returned over the mountains. They were pursued by five hundred Valaisans, by whom their rear guard, had it not been supported by the main body, would infallibly have been discomfited and slaughtered.

These alternate successes and defeats, and the misery of the wretched inhabitants, which now bordered upon absolute desolation, disposed all parties to turn a willing ear to the remonstrances of the neutral cantons, and at a congress at Zug, agreed to a general pacification. The Duke of Savoy was chosen arbitrator; and, on the twenty-fifth of January, he 1420. issued the following award. 'The Baron of Raron shall be 'restored to his territorial possessions; and the dizains shall 'pay him ten thousand florins for the losses he has sustained 'in rents and moveables, and to the Chapter of Sion four 'thousand, to Berne ten thousand, and to the arbitrator one 'thousand florins, for costs and damages.' The Upper Valaisans, urged by those of the lower dizains, who lay open to the attacks of Berne and Savoy, and by their Swiss allies, who had become anxious for the maintenance of the confederacy, accepted the terms with sullen discontent. Raron recovered his lands and castles, but never his consequence, or the confidence of the people: he forsook his native soil, and died in a foreign land. Both parties thus suffered detriment and disappointment, the usual consequences of domestic broils, where strangers are called in to compose the differences.

War of Bellinzona.

The troubles in the Valais had not long subsided, when the nation met with an overthrow, of which their history had as yet afforded no example, and which pointed out to them the

CHAP. I.

precarious tenure and evil tendency of territories beyond their natural limits. The possession of Bellinzona, the portal of the Alps, must ever be considered as an object of the first consequence by its neighbouring states; and particularly by the people of the higher Alps, who, unless they are perfectly secure of the free importation of corn and other necessaries from the rich plains of Lombardy, must at all times lie at the mercy of the sovereign who commands that pass. It had long been held, as an imperial fief, by the family of Rusca, and the Barons of Sax; and of late it had been ceded, by ambiguous contracts, both to the Duke of Milan,[22] and to the forest cantons who reciprocally prepared to maintain their respective claim by the most vigorous means. The Swiss, who were in possession of the town, and secure in the offer they had made to
1422. refer all differences concerning the validity of the respective titles, to the head of the empire, had left in it a small garrison for its defence, which, unsuspicious of any hostile intentions were remiss in the vigilance that became their situation. The duke, who for upwards of two years had been watching a favourable opportunity, and had, by ample gifts, gained many of the principal inhabitants, found great facility in occupying the town and castle of Bellinzona; nor did he meet with much resistance in penetrating into the vallies of Ossola and Levina, even to the foot of the St. Gothard. The men of Uri and Underwalden were no sooner apprized of this, than they sent summons to the confederate cantons, to assist them in avenging this affront upon their nation. The answer, which they heard with sorrow and surprise, was, 'that most of the cantons were ready to march with them as far as the Mount

[22] Filipo Maria Visconti.

CHAP. I.

'Platifer at the entrance of the Leventine vale; but that 'Bellinzona was not even named in the perpetual league; and 'that they would not advance until Uri and Underwalden had 'taken proper measures for the abundant supply and cheapness 'of provisions.' At a congress held at Lucern, the Urners and Underwalders replied, 'that though Bellinzona was not men-'tioned in the perpetual league, it was yet within the limits 'which had been virtually described in that compact; that 'without the security of the pass into Lombardy, the league 'would be nugatory; that such nice distinctions ill became 'the good faith and fraternal concord they had sworn to 'maintain towards each other; that, in short, their arms had 'been insulted, and the fame of Helvetic valour had been tar-'nished; and that those who could tamely submit to such an 'insult, ill deserved the name of Swiss Confederates.' They spoke so forcibly, that all the cantons, Berne only excepted, which had never yet interfered in the concerns of the Italian conquests, agreed to arm, and proceeded without delay. In a few days, numbers of vessels crossed the lake of the forest cantons, with the auxiliaries from Lucern, Zug, and Zuric, and even the small community of Gersau. The archers were sent on before; the main body, consisting of three thousand men, followed; and those who came in after were to form the rear. The force of Milan was composed of six thousand horse, and eighteen thousand foot, commanded by Count Francesco Bussone di Carmagnuola, and under him Agnolo della Pergola, two of the most experienced generals of the age. Carmag-nuola's greatest care was to conceal his numbers; and for that purpose he caused such silence to be observed in the gar-rison, that the Swiss were led to believe that the town had

CHAP. I.

been evacuated. Their main body advanced with confident security down the valley. The Schwitzers, who formed the rear, were one day's march behind the army. All were resolute and dauntless; but the genuine spirit of the confederacy, the perfect harmony that combined all their efforts, and made them jointly co-operate towards a single object, did no longer animate them: after Uri, in the late war with Austria, had laid claim to greater rectitude than the rest of the cantons, and Schwitz, in Raron's war, had marched with Berne against the people of Ghombs, allied to the other forest cantons, the mutual confidence between these congenial states had sensibly relaxed, and discordant views became manifest in all their councils. The main body taxed the Schwitzers with unnecessary delay; and these, so far from being urged by this reproach, tarried a whole night at Pollegio, pretending that they must wait for the reinforcement from Glaris. The main body, irritated, and perhaps now emulous to conquer without the assistance of their tardy brethren, proceeded down the Ticino to where, near Bellinzona, it receives, from a Rhætian valley, the river Muesa, separated before this junction by a long ridge of lofty mountains. Carmagnuola knew all their motions, a country so rugged affording abundance of opportunities for reconnoitering. He sent a body of horse over the ridge of mountains, which fell unawares upon, and led away the whole convoy of provisions, that followed the main body unsuspicious and unguarded. Had the Schwitzers come up, this loss would not have been sustained. The Swiss army was hereby reduced to the alternative either to send out detachments for a supply of provisions, and thus weaken its small numbers; or else to venture an immediate battle, perhaps on disadvanta-

geous terms, and without an option of the mode of attack. The troops of Glaris, under Jobst Tschudi, who had now been thirty years their landamman, joined the Schwitzers in the evening. He reprobated their tardiness; and his infantry not being able to keep up with him, he proceeded with thirty horse, and arrived at the main army soon after midnight.

Battle of St. Paul.

On the morning of the thirtieth of June, the festival of St. Paul, from which this fatal conflict derived its appellation, four banners of the Confederates were displayed at Arbedo, near Bellinzona: Lucern in front, Uri and Underwalden in the centre, and Zug behind, backed by a mountain. The loss of the convoy having been ascribed to the Avoyer of Lucern, on whom the command of the army had been conferred, the troops lost all confidence in him, his own presence of mind also forsook him, and subordination became wholly relaxed. The numbers of the enemy being as yet unknown, six hundred of the Confederates ventured, without order or permission, to go in quest of provisions up the Muesa, into the valley of Misox: the rest remained, no ways apprehensive of danger, unprepared, and inattentive to the commands of their superiors. Carmagnuola, who was apprized of this state of the confederate army, resolved on an attack, before they could be reinforced by the rear, or headed by a more able commander. Pergola fell impetuously upon them with the cavalry; but they, regardless of their chief, and relying only on their personal valour, resisted the shock with firmness and success. They levelled their blows chiefly at the legs of the horses, and thus threw the ranks into confusion. Pergola, by order of his chief, now sent away his horses, and engaged on foot. The Lucerners, overpowered by numbers, still stood the conflict;

CHAP. I.

many of them fell; and in the midst of them their banneret, seeing himself surrounded by dangers, rolled up his flag and stood upon it, firmly resolved not to resign it but with his life. He not only preserved it, but his people even succeeded to capture the chief banner of Milan. Carmagnuola now advanced with threefold numbers, and in close array, upon the main column of the Helvetic army. Meanwhile the Zugers, together with Tschudi and his thirty Glarners, and some men of the Leventine vale who had joined them, made a retrograde movement, in order to gain the heights behind them; but these they found already occupied by the Milanese, and dangers impending on every side. The Avoyer of Lucern, and some of his men, preferring at this awful moment a few years of inglorious life to the immortal fame of an heroic death, turned their halberds, fixed them in the ground, and surrendered prisoners of war. Others were called upon to imitate this prudent example; but they scornfully rejected every offer. John Rott, Landamman of Uri, fell with honour, and at a happy moment for his peace of mind, his son having a few years after been expelled from the high office in which he had succeeded his father, for peculation and other treasonable practices. The banner of Uri fell with Henry Puntiner its bearer; but his people closed round his corpse, and preserved it. Peter Colin, Landamman and Banneret of Zug, fought desperately at the head of his countrymen, and was slain. The eldest of his t sons, who fought by his side, drew the banner from under hi and waved it on high, streaming with his father's blood. too met his doom; and his friend, John Landwing, wrench the banner from his dying hands, and once more raised it abc the combatants. This banner, stained with the blood of t

Colins, was in our days still preserved at Zug, where, except in one instance, it has on every occasion been entrusted to a Colin, and in that only instance to a Landwing. Three hundred and ninety six of the Confederates perished in this bloody conflict; and thrice that number fell on the part of the Milanese. Towards evening, the six hundred who had gone upon the foraging party, returned full speed, and threatened the rear of the enemy. But the Muesa, which they had to cross, had suddenly overflowed its banks, and the only bridge on which they might have crossed it, had been thrown down. Carmagnuola, however, aware of the havock that would still be necessary to insure the possession of the field, withdrew into Bellinzona. The battle began at nine in the morning, and lasted till the hour of vespers, when the banners of Schwitz and Glaris joined the shattered bands.

The survivors passed the night in sullen grief and discontent, among the mangled bodies of the Colins, Rotts, and Puntiners, and their many fathers, brethren, and friends that strewed the field. The Schwitzers, indeed, reproached their Confederates with their untimely impetuosity, but amply participating in the sorrow that filled their breasts, insisted that none should return without first inflicting an avenging blow on the Italians: but provisions ran short, many were reluctant, Carmagnuola would not come forth out of the city, and they had no implements for a siege. They hence resolved to postpone their vengeance, and to return into their mountains. The Schwitzers, loth to join in this lamentable march, ravaged the country round Bellinzona, and proceeded to the vale of Ossola.

Never yet had the Confederates made a retreat so dismal.

CHAP. I.

They were not pursued, and the enemy even left them in the possession of the Leventine vale; but their reception at home was mournful and humiliating. A dead silence prevailed in all the villages through which they bent their disconsolate steps. The magistrates of Lucern, foreseeing the lamentations of the women and children at the arrival of the small remnant of their bands, ordered that no one should appear in the streets at that distressful moment. The people resorted to the towers and tops of houses, and gazed across the lake. Instead of seven vessels, in which their men had departed, only two came in sight. The banner indeed appeared, but it was torn and bloody. The men stepped on shore unwelcomed and unattended; nor were they inclined to boast of the capture of the banner of Milan. The house of the landamman was with difficulty saved from instant demolition. His conduct was investigated by the senate; and he was declared to be a man destitute of vigour and ability, but not legally criminal. They were most culpable who had raised him to his station.

After three years of discordant meetings, and ineffectual negociations, Peterman Rysig, a private individual of Schwitz, assembled all who knew and confided in his spirit and conduct, and in the month of October, led five hundred men over mount St. Gothard, turned off at Airola, appeared before Domo in the vale of Ossola, before the Milanese had any intimation of his approach, and took the place without opposition. The Duke of Milan, deceived by artful favourites, had discarded Carmagnuola, and feared lest his resentment might prompt this veteran to countenance the invaders. He hence raised the whole force of Milan, and sent it against this feeble band. His leaders invested the town, summoned the garrison, and

their threats being disregarded, erected a gallows to shew the fate that awaited the stubborn mountaineers. This being reported at Schwitz, the canton sent its banner, and summoned the Confederates. Even Berne now listened to the earnest solicitations of the forest cantons, and sent five thousand men through the Valais, where they were treated as if they had never been enemies. These forced two entrenchments of the Milanese, and penetrated into the vale of Ossola, where they were joined by the forces of the other cantons, who had meanwhile come down the St. Gothard. Fifteen thousand Confederates were now assembled, and approached the camp of the besiegers: but these, dreading the impression of so formidable a host, withdrew hastily, and left the Swiss masters of the whole valley.

The duke upon this sued for peace. The Swiss more skilful in arms than in negociation, made an accommodation, by which, after having held the best part of them during four and twenty years, they surrendered the valleys of Ossola, Bellinzona, and even Levina, to the duke. A sum was allowed them for the private immoveable property they left behind; and various commercial privileges were conceded to them by Milan. Zoppo, great chamberlain to the duke, had previously brought about a separate treaty with Lucern, Uri, and Underwalden; and perhaps found out by what arms their rulers were most vulnerable. Corruption is a charge more frequently brought forward in free states than in monarchies; not that the latter are more exempt from it, but because in them, the proceedings being secret, it is more easily concealed. This treaty was a mercantile and not a political one; and yet no canton perhaps was greatly to blame, for they all saw how

CHAP. I.

little dependence they could place on each other in wars of so distant and partial a nature.

Rhætia.

While freedom had now for upwards of a century been making rapid strides throughout the cities, plains, and valleys of Helvetia, the Rhæti groaned still under the oppressive sway of powerful barons, and felt the scourge with redoubled poignancy, it being inflicted by inhuman substitutes, ever emulous to excel their masters in arrogance and cruelty. Henry, Count of Werdenberg, desirous to extinguish every spark of the glow of freedom which still prevailed among his people, suffered his delegates to practise all manner of humiliating insults, and to enforce their stern decrees by every kind of degrading punishment. He possessed several castles, in the valley of Schams, on the upper branch of the Rhine. The keeper of one of them compelled the villagers to eat out of the same troughs with their swine; another sent his cattle into the cornfields of the neighbouring farmers, and because one of them killed some of the intruders, he detained him in a long and grievous confinement; a third commanded Adam de Camogasch, a reputable neighbour, to surrender his daughter to his inordinate desires; and many carried their wanton licentiousness so far, as to compel the parents and husbands to witness their own dishonour. This was deemed the more insufferable, because at this period continency was still considered as a predominant feature in the morals of the people. They were patient and silent; but they felt when the measure of their ignominy and oppression was full, and then had recourse to means which reason justified, and their right arm supplied. Camogasch, the enraged father of the object of the keeper's desires, called together some trusty friends, con-

cealed them in proper places, and led his daughter, dressed in her best array, towards the castle. The keeper seeing them approach, came forth to meet them, and instantly paid with his life the forfeit of his intended insult. The nobles who authorized these excesses were moreover, by their own reciprocal enmities, the cause of incessant disturbances and depredations in the country. The Bishop and city of Coire, the Counts of Werdenberg and Tockenburg, and the Baron of Razuns, were at constant strife. No provision was made for the domestic security of individuals; no restraint put upon the robbers and assassins who incessantly infested the highways; and the exasperated people, harassed equally by their oppressive lords, and the no less inhuman foes of these oppressors, were driven to the extreme of despair and indignation.

The bishop, dissatisfied because in an award between him and his metropolitan city, the arbitrators of Zuric would not deviate from the paths of justice, entered into an alliance with Austria, in order to awe his people into submission. The danger of this alliance, the restless spirit of the prelate, the rigour and overbearing pride of the nobles, and of their obdurate delegates, the total want of rule, order and security, at length induced a few discreet but dauntless peasants in a remote valley, to join in support of their natural rights, and seek the redress, without which their condition had now become insufferable.

The whole valley on the lower branch of the head of the Rhine, from the town of Ilanz up to its source, consists of a narrow dell, sunk deep between stupendous rocks and precipices, intersected by numbers of foaming torrents, and abundantly clothed with extensive woods, among which many

CHAP. I.

contracted glades afford rich pastures for the cattle, from which the inhabitants derive their chief subsistence. In this sublime region, near a spreading grove, stands a village called Truns. In this solitary grove, and at the dead of night, assembled a small number of the neighbouring villagers, and conferred on the means of relieving themselves from their present abject condition. Upright but fearless, they felt and reprobated the indignity of being trampled upon by vile and remorseless sycophants: uninfluenced by selfish views, not one of them profited by the successful issue of their hazardous enterprize: their names are no where recorded; no sepulchral inscriptions mark the spots where their bones have mouldered; the league, of which they have been the founders, is the sole monument of their social virtue. Genuine benevolence, and an abhorrence of cruelty and injustice, were their prime motives; but besides these they were stimulated also by the manly impulse resulting from the various connections of father, friend, and countryman, which providence has wisely implanted in our nature, and without which our love of liberty would soon degenerate into the ferocious ardour for independence that agitates the lion and the tiger.[23] The manners of this Alpine people are peculiar to their soil and climate: inured by toil, they are still more invigorated by their constant exposure to a clear healthy atmosphere: strangers to luxury, their moderate wants are amply supplied by their labour and industry; their affections, from a difficulty of communication even among adjacent valleys,

[23] In nothing perhaps have the late boasted renovators of liberty swerved more from truth and reason, than in having ever applauded the sacrifice of domestic affections to extravagant principles of patriotism and universal benevolence.

are circumscribed within narrow limits, and hence they are as firm and permanent, as their encircling rocks: exhilarated by the majestic scenery that surrounds them, they are sedately cheerful, but fierce and implacable when wantonly insulted. Such were the men, who met at Truns. It has been handed down traditionally, that they were the elders of their respective villages, men advanced in years, with long grey beards, and dressed in the grey homespun clothing of their country. Unawed by the danger which they knew impended, they were not, however, wholly destitute of powerful abettors, their meeting being reported to have been held with the previous knowledge and concurrence of Peter de Pontaningen, Abbot of Disentis, one of the principal proprietors in this valley, who in the sequel, was one of the chief promoters of the league. His name, however uncouth, is surely entitled to a conspicuous place in the annals of humanity.

The fixed resolve of these intrepid men soon spread from vale to vale, and the communities on the three upper branches of the Rhine came to a speedy and unanimous determination to compel the lords to listen to the voice of justice; and for this purpose they availed themselves of the favourable moment when their own dissensions rendered these lords feeble and tractable. Towards the end of the winter, before the shepherds are wont to drive their cattle into the mountains, they sent the chief of their elders to the nobles, with an open avowal of their determined purpose, and offers to consult with them on the establishment of a free and equitable constitution. The Abbot of Disentis, who himself was not always exempt from the pressure of the despotic lords, instantly acceded. The barons of Razuns (four brethren) aware that the tide could not be

CHAP. I.

stemmed, and having themselves, as well as their father, more than once experienced the advantages of an union with the country people of Glaris, shewed no reluctance: John Count of Sax, one of the most powerful among the nobles, whose domains had once extended as far as Bellinzona,[24] admitted the justice of the demand; and perceiving moreover that some advantages might accrue from his securing the hearts of the people against his rival compeers, willingly assented. The aged Count Hugh of Werdenberg, of the black banner, brother to the generous Rudolph, who had headed the Appenzellers at the Stoss, was foremost in his concurrence: but Count Henry, of the white banner, whose father had been defeated at Næfels, and whose delegates in the valley of Schams had been chiefly instrumental in exciting the indignation of the people, was peremptory in his refusal. His dependents, however, at Lax, in the valley of Schams and in Rheinwalden, inflexible in their resolve, which they knew to be a just one, paid no regard to his dissent.

The Grey League.

About the middle of March, the Abbot of Disentis, three of the barons of Razuns, the Counts John of Sax, and Hugh of Werdenberg, many nobles and vassals, and the deputies of the communities in the circumjacent valleys, being assembled under a spreading lime tree,[25] at the aforesaid village of Truns, planned and ratified the following league, which was still in force when the late apostles of liberty sent their hostile bands into these remote valleys.

'We all agree, without respect to persons, or distinction of 'ranks, to be true and faithful friends and confederates; to

[24] See p. 335, and 337.

[25] This venerable tree was still in being, and revered, in the month of October 1787.

'aid each other with our lives, our property, our arms, and best
'advice: equity shall be our guide in all our mutual dealings:
'we will effectually provide for the security of the roads, and
'for the tranquillity of our valleys; no one shall, on any pre-
'tence whatever, molest another in his person or liberty, or
'invade his property, without a decree of the magistrate, to
'whom the person accused is amenable: we promise and swear
'to maintain every Confederate, whether ecclesiastic or secular,
'noble or plebeian, rich or poor, in the secure enjoyment of
'his rights, possessions, and usages: none of us will interfere
'in the election of an Abbot of Disentis; the Chapter alone
'having the right to confer that dignity: in case of unavoid-
'able dissensions it is hereby decreed, in order to prevent the
'effusion of blood, that arbitrators be named, three by the
'abbot, three by the barons of Razuns, three by the Count of
'Sax, two by the communities in the Rheinwald, and two by
'those of the district of Flims: these shall first attempt an
'amicable accommodation; and if this should not succeed, the
'majority shall pronounce a sentence, and we all bind our-
'selves to compel whoever may be contumacious: in matters
'of great concern, all the Confederates will assemble at Truns,
'either in person, or by deputies; and in order that our
'children and distant posterity may be well acquainted with
'the conditions of this compact, it shall be solemnly renewed
'and confirmed by oath every ten years; it shall be as per-
'manent as our vales and mountains: no one shall be admitted
'into this league without the assent of the whole Confederacy:
'the abbot and his chapter reserve their previous conventions
'with their friends of the forest cantons; and the Count of Sax

CHAP. I.

and Barons of Razuns, their engagements with the Duke of 'Milan.'

Such is the covenant, which, from the high situation of the country it has united, has been called the *upper league*; and also, perhaps from the ancient appellation of this group of mountains,[26] or from the colour of the clothing of its first founders, the *grey league*. There are traces of older associations among these people; but in the same manner as the battle of Morgarten has formed the epoch of the Helvetic Confederacy, though prior engagements are known to have existed, so has the day at Truns obliterated all former compacts, and stamped the æra of the Grison republic.[27]

The tranquillity and security this league insured to all who shared in its protection, soon gave rise to other federal unions of a similar nature, framed upon the same fundamental principle of mutual defence, though differing, like all the subordinate members of the Helvetic body, in some of their particular institutions. In each of them the nobles preserved all their rights and prerogatives, and every community its customs and immunities: tyranny alone was checked, and effectually restrained. The people of the extensive district, since called *the league of the house of God*, confirmed each other in their privileges, which no bishop, since their first compact,[28] had ventured to violate: and Frederic, Count of Tockenburg, the chief proprietor in the valley of Pretigau, and on the lofty plain of Davos, being at variance with the Duke of Austria,

League of the House of God.

[26] *Alpes Graiæ*, also *Campi Canini*.

[27] The whole of Upper Rhætia has since derived from this last appellation, the name of *Grisones*, or the Grey Ones.

[28] Anno 1396. see p. 338.

CHAP. I.

and the lords of Razuns and Werdenberg, wisely conceived that his best prop and security would be the affections of his people, and readily assented to a similar union in this and some adjacent districts, which afterwards obtained the name of the *league of the ten jurisdictions*. Not content, however, with this accession of relative importance, he acquired additional influence, from a twenty years alliance with Conrad Planta, landamman, and the community of Engadine, which, though a member of another league, strengthened, however, by this bond the general confederation, the benefits of which, the people now felt and joyfully acknowledged.

League of the Ten Jurisdictions. 1428.

After repeated, but ineffectual struggles on the part of the hierarchy against the infuriated Hussites, in which the Swiss, at the requisition of the empire, bore a distinguished part, and bled abundantly; and after a long and delusive expectation of the reform of ecclesiastical discipline, which the council of Constance had enjoined, and which the reluctance of the pontiff had eluded at the assemblies of Pavia and Sienna; another general council was at length convened at Basle, which, under the pontificate of Eugene the Fourth, who never ceased to counteract its proceedings, but chiefly by means of the exertions of the venerable Cardinal Julian Cæsarini, its president, effected the alterations which were now become indispensable. The fathers sat thirteen years in this now splendid city; during which, to the great praise of its magistrates, the most perfect order and tranquillity was preserved, and no want of provisions or accommodations (objects of no small difficulty in those times) was ever experienced. The prelates, having decreed the supremacy of the council over the Popes, succeeded, by moderation and reasonable concessions, to soften, though they

Council of Basle. 1431.

CHAP. I.

could not wholly extinguish the resentment of the Hussites, many of whom could never reconcile themselves to the perfidious and cruel t eatment of their first teacher. But their chief care was to frame salutary regulations, which, had the hierarchy been in the sequel guided by men of wisdom and probity, would infallibly have resto ed its lustre and beneficent influence. Although this council, did not immediately affect the political state of Swisserland, yet so numerous, so splendid and so important an assembly within its precincts, was not without some influence on the manners and condition of the higher ranks of the people; and hence, no doubt, deserves to be recorded as an epoch in its history.

## CHAP. I

### *War of Zuric.*



AFTER having been gratified with a display of the inflexible rectitude, the valour, and the favourable incidents, which, through abundance of dangers, led the Helvetic tribes to a degree of domestic felicity, and political consequence, to which a less share of energy would never have conducted them; it must be painful to the benevolent mind to dwell upon a period when sinister views and discordant interests have warped the rulers of this honest, and at this time happy, people, from the line of conduct to which it was indebted for its splendid successes and salutary establishments, impelled it to intestine commotions and all the horrors of a civil war, and endangered the very existence of the union, to which it owed its prosperity. Such was the period immediately after the extinction of the male line of the Counts of Tockenburg, when, numbers of competitors laying claim to its rich inheritance, an appeal was made to the sword, which for upwards of thirteen years spread devastation throughout the country, and excited animosities which extended their baneful influence far into the succeeding century.[29]

The fundamental maxim of the Confederacy, 'to secure

[29] From the year 1436, to the perpetual alliance with France in 1516.

CHAP. II.

friends, and not to compel subjects,' had now, as has appeared in some preceding chapters, been relinquished in many instances; and ample territorial acquisitions had already excited the pride of some, and the jealousy of others, among the cantons. Specious pretences were not wanting for thus deviating from that sober and salutary principle; and it must be allowed, that without the extensive possessions with which Berne had encircled its city, the nobles would infallibly have succeeded to crush the federal compact to which they, not without reason, ascribed their rapid decay. But besides this cause of rivalship among the cantons, another bond of union, 'the danger of the joint efforts of many powerful adversaries,' had now been loosened by the decline and total extinction of many of the illustrious families, against whom they had so frequently contended, and the expulsion of the Duke of Austria out of the best part of his possessions in Helvetia. This state of security soon induced them to turn their thoughts to objects of private advantage, or at best to conceive that a tender regard for the welfare of their particular city or canton was all the patriotism that could now be demanded of them. Each canton thus gradually acquired a distinct character.[30] Berne

[30] Their rulers, and not the people at large must be here understood. These, sincerely contented in the serene enjoyment of their dear bought liberty, confined within a narrow circle of communication, and chiefly addicted to their domestic concerns, have never suffered new-fangled doctrines, or specious political speculations, to bias or perplex their honest purposes. Should their modern reformers succeed to guide them into new paths of morality, the late conduct of the Swiss guards at the Louvre will probably be the last instance of the sincerity and inviolable truth to their engagements, which, together with undaunted courage, have ever been considered as the distinctive features of the national character of this people.

became lordly and domineering; but this very spirit, and the prevailing influence of that city, proved in the sequel the main spring of the consequence of the confederacy as a state. Zuric carried on an extensive trade, and hence suffered its commercial views to warp all its public as well as private deliberations; and we accordingly seldom find it in unison with the rest of the Confederates. The three forest cantons preserved, indeed, their pastoral simplicity; but their emulation being once excited, even Mount St. Gothard was not high enough to restrain Uri and Underwalden from attempting conquests in Italy, in which they were feebly assisted by their allies. Lastly, as the fabric of the confederacy extended, its different parts necessarily became more complicated, and a perplexing difficulty often arose, in what manner to reconcile the welfare of the communities, with the regard for the security of property, which was ever held as inviolable. Important rights or immunities possessed by powerful lords would often clash with the sovereignty in the domain in which they were included; and as many of the territorial acquisitions were obtained either by purchase or mortgage, the contracts, especially in the latter cases, often contained exceptions and limitations which proved inconsistent with the supremacy of the new possessors. This change of circumstances must not be passed over unnoticed, since it points out a transition in the character of the confederacy, which may serve as a clue to lead us through the maze of the subsequent, and more especially of the next succeeding events.

Succession of Tockenburg.

Count Frederic of Tockenburg, whom the Duke of Austria had, after his inglorious expedition against Appenzel, invested with the supreme command in the Thurgau, and who had

CHAP. II.

recently promoted the union which led to the establishment of a third league in Upper Rhætia, was, since the decline of the nobility, by far the most wealthy and powerful lord in Helvetia; his domains (not indeed always contiguous) extending from Zuric far beyond the eastern banks of the Rhine, and up to the confines of the Tyrol. They were not all held by the same tenure. The original seat of his family, and the county from which he derived his name, were fiefs dependant on the empire. The upper March, Uznach in the Gaster, and the large possessions in the Grisons, had devolved to him as allodials from his female ancestors; and he had himself, profiting by the necessities of the Duke of Austria, obtained by mortgage the seigniory of Windeck in the Gaster, the castles of Freudenberg and Nidberg, Wesen, Wallenstad, and the county of Sargans. During the sitting of the council of Constance, he moreover received from the empire, likewise as pledges, the whole district eastward of the Rhine from Bregenz to Pretigau, all which King Sigismund had wrested from Austria. The sequestration of the Austrian territories, in consequence of the ban of the empire, extending now also to the districts the duke himself had previously transferred to Count Frederic, the right of redemption of those districts had likewise devolved to the empire, which, in the instance relating to the seigniory of Windeck, had been made over to the city of Zuric. The count's temper was stern and despotic; but the policy he practised in conciliating the friendship of those among his more powerful neighbours, who might have fomented discontents in his dominions, virtually obviated the ill effects of his severity. He conducted the war against the Appenzellers, which had been committed to him by the Duke of Austria, with so much lenity and caution

that his territories were ever spared, when that people carried devastation among their other adversaries; and they ever abstained from interfering in any disagreement between him and his murmuring vassals: but none of his expedients towards obviating foreign interference proved more effectual, than his having demanded and obtained the freedom or coburghership of Zuric and Schwitz for himself during his life, and in favour of his heirs for a further term of five years after his demise. Fifty years sooner, the Schwitzers would not have consented to an engagement which countenanced oppression.

The count, being well apprized that an avowed presumptive heir to his dominions might rise into a rival, and be resorted to as a refuge against his austere government, became solicitous to obtain the unconditional privilege of bequeathing all the territories he held in fee under the empire, in order that he might effectually conceal the future owner from the various collaterals who were preparing their titles to the succession, and the many parasites who courted his friendship in hopes of being numbered among his legatees. His kindred consisted of Elizabeth his consort; Idda Countess of Thierstein, his sister; a Countess of Montford, daughter of his uncle Donatus; Ulric de Metsch, and Hildebrand and Peter de Raron, grandsons of his elder aunt Margaret; and the Barons de Howen, descended from Clementina, his younger aunt. In the then unsettled state of the laws of inheritance, and among the multitude of wills, marriage contracts, deeds of purchase, and local rights, that related to the different parts of this property, it was scarce possible to define with any accuracy the titles that pertained to each of these several claimants; and

CHAP. II.

they all hoped to be ultimately more beholden to the favour of the count, than to any complicated claim they might exhibit. His mother, a Countess of Werdenberg, had moreover four nieces, who had married into the noble families of Montford, Brandis, Sax, and Thuring. These also, and their descendants, were not wanting in paying the obsequious homage which they hoped might one day be productive of advantageous consequences. The court of Frederic was at this time an assemblage of all that was distinguished in these, and many distant parts; all emulous to ingratiate themselves where so much benefit might be derived.

(Burgomaster Stussi.)

Among this crowd of visitors was also John, the son of Rudolph Stussi, knight, burgomaster of Zuric. This youth, who, unlike his father, was not only deficient in the urbanity that is indispensably necessary at a court, but wholly destitute of the intrinsic qualities which command respect among those who know how to appreciate merit, soon became the jest of the young nobles; and, urged by a mean and puerile arrogance, reported to his father the slights he occasionally experienced. The burgomaster felt not only the personal disrespect his son complained of, but suffered his resentment to apply the insult to himself and to his city. Influenced by his authority, which the firmness of his character, the eminence of his talents, and even the dignity of his person, rendered almost absolute, the senate sent repeated messages to Count Frederic to request that, since they could not but be solicitous to learn whom they were to look upon as their future coburgher, he would declare to them the person on whom he meant to settle the inheritance; and also that, as the empire had authorized them to redeem the seigniory of Windeck, he

would forthwith cede it to them on receiving the due reimbursement. The count, firmly resolved not to accede to either of these demands, and yet unwilling to furnish a pretence for discord, urged that time must be had for deliberation, and proposed a meeting at which the deputies from Schwitz an Berne were requested to attend.

Schwitz was at this time, like Zuric, under the predominar influence of one of its principal inhabitants, who must need have possessed superior qualities, since he was, during a lon series of years, repeatedly confirmed in the highest office i this ever suspicious republic. Ital Reding of Bibereg was th landamman, whose lineal ancestor had, more than any othe contributed to the victory of Morgarten; whose father had, b honest thriftiness, greatly increased his private property; an whose brother and sons were suffered to hold under him variou important departments in the state. Reding was too expert politician not to avail himself of the unfavourable impressio the late requisition of Zuric had made upon the mind of Coun Frederic. Accordingly at a meeting held at Rapperswyl, th deputies of Schwitz actually appeared as advocates in favou of the count, and Zuric found it expedient to desist for th present from its demands. In the sequel, however, Zuri obtained a private intimation from the count, that, havin been thereto authorized by the emperor, he meant to nominat the countess his consort the sole heiress to his feudal domi nions; and that with respect to the surrender of Windeck she would conform herself to the conditions prescribed in th deed of mortgage. Whether from fickleness, the intrusion c insurmountable obstacles, or a desire to involve the Confede rates in discord and animosities, he, at a meeting of a fe

CHAP. II.

friends and relations at Sargans, insinuated, in contradiction to his former declaration, but under the seal of secrecy, that Wolfard de Brandis, his cousin on his mother's side, should succeed to Tockenburg and Uznach, and to the co-burgher-ship of Zuric, after the expiration of which he should become a freeman of Schwitz. Such was the undetermined state of

1432. the important question concerning his succession, when he died intestate, on the last day of April, and was buried at the abbey of Ruti, with his shield and helmet.

Disputes concerning it.

His dowager, though unsupported by any written document, immediately laid claim to the whole inheritance; and in the firm persuasion that none could so effectually enforce her pretensions as the canton of Zuric, she not only accepted of its protection, but even prolonged the term of her co-burgher-ship for the remainder of her life, and engaged to induce all her subjects to enter into a similar association. Others of the relations produced various, either antiquated or recent titles, which, after the obsequies at Ruti, they met at Rapperswyl to discuss and adjudicate; but where, each of them claiming something more than was his due, they deliberated without effect. The duke of Austria, who, after having been released from the ban of the empire, and reinstated in the dominions which had been sequestrated, had by this time amply restored his finances, declared his intention of redeeming all that he had in his days of necessity mortgaged to the Count of Tock-nburg;[31] and the emperor also declared his purpose of en-ering upon all the imperial fiefs, which he considered as lapsed by the intestate demise of the last occupier. Meanwhile most of the people of these wide domains, weary of the oppression

[31] This included Windeck, which Zuric was so eager to possess.

they had experienced under their late despot, and impelled by the example of many of their neighbours, shewed a manifest disposition to alleviate their yoke by forming compacts among themselves, and with the free states that surrounded them on many sides.

The dowager countess, besides the promised surrender of Windeck, now likewise engaged to make over to Zuric the town of Uznach, and some other places in the Gaster. The inhabitants of these towns, doubting the right she had to transfer them thus at pleasure, refused to take the oath which Stussi demanded of them with overbearing insolence.[32] The people of Sargans, whilst they expressed great joy in returning under the Austrian government, demanded various privileges, which, though the duke did not peremptorily refuse, he was yet resolved not to grant; and the Tockenburghers likewise, avowed their apprehensions, lest in the differences that subsisted respecting the succession, they should fall a prey to the unlimited authority of some arbitrary ruler. All these communities, being well aware, from the selfish and domineering temper of the rulers of Zuric, that no aid was to be expected from that quarter, turned their eyes towards Schwitz and Glaris for the support which they hoped would somewhat alleviate the servitude they had now so long endured.

The people of Sargans in particular shewed themselves so stubborn in their demands, that the duke, repenting the redemption of the mortgage, transferred them to Count Henry of Werdenberg, in consideration of the sum he had

[32] 'Do you not know,' said he to the people of Uznach, when they avowed their reluctance, 'that you are ours, you, your town, your lands, your property, and your 'very vitals?' They answered,—'That we will see.'

CHAP. II.

disbursed in that resumption: but they, like those of Uznach, unwilling to admit the right of being bartered away like merchandize, refused to acknowledge their new lord; and because they knew him to be the friend, and a freeman of Schwitz, and that they could hence expect no countenance from that canton, applied to Zuric, and easily obtained the franchise of that city. This agreement was no doubt concluded without the knowledge of the new lord, and certainly without his consent, since he had at that very time permitted them to enter into a similar covenant with Schwitz. The rulers of this canton and of Glaris,[33] represented this clandestine proceeding on the part of Zuric as a breach of the confederacy; and in order to counteract its effects, sent their chief magistrate into the Gaster and Tockenburg, to offer their franchises to the people of those districts, stating that the late count had authorized them to enter into such an engagement, and that the succession not being yet determined, no new sovereign could impede the measure. The people, pre-disposed as they were to look to that quarter for support, gladly acceded to the proposal; and thus was Zuric cut off, not only from its new allies, but also from its communication with Italy, through the Rhætian passes. Hence arose the animosities between Zuric and the cantons of Schwitz and Glaris, which proved so fatal to every part of the confederacy.

It would be tedious as well as uninstructive to relate the various steps the neutral cantons took to check the progress of this unhappy discord; the many deputations that were sent to each rival state, and the several meetings that were held

[33] The situation of Sargans and the Gaster, at the inlets of these cantons, rendered it necessary for them to be very vigilant in all that concerned the state of those districts.

with a view to conciliate the minds of the contending parties. The most general, solemn, and important congress, was opened at Lucern, towards the end of February, and was attended by the chiefs of each canton, most eminent both for official consequence and superiority of talents. These, however, at their very first interview, betrayed so much asperity and rancour, that little hopes could be entertained of a successful issue. Stussi upbraided the Schwitzers with their conduct in the affair of Zug, which had been publicly condemned by all the cantons, and with their inglorious retreat from Bellinzona; adding tauntingly, that Lucern was much indebted to them for having reduced its expence of freight, only two of the seven vessels the city had sent to their assistance, having returned from the disastrous expedition. Reding, in his turn, reproached Zuric with its defection to Austria, whilst the blood which the Confederates had shed at Sempach and Næfels was still reeking. The men of Glaris were told by the arrogant burgomaster, that he considered them no longer as allies, since, contrary to the express condition under which they had been received into the confederacy, they had formed new leagues without the concurrence of the other cantons. Jobst Tschudi, the landamman of Glaris, replied, that in a subsequent compact they had, with respect to alliances, been put upon the same footing with the other cantons; and Conrad Rietler, the banneret of Glaris, having been repeatedly, both publicly and privately, insulted by Stussi, broke out in personal invectives, and reminded him, that the cottage was still standing in the canton of Glaris in which his father had been born, whilst his grandfather was tending cattle in the mountains.[34] These alterca-

[34] The family of Stussi had in fact but lately come to Zuric from Glaris, where the father of the burgomaster had been a common peasant.

CHAP. II.

tions, more calculated to exasperate than conciliate, produced an order from the congress that the negotiations should henceforth be carried on only in writing.

After a profusion of memorials, answers, and rejoinders, had been presented and maturely considered, nineteen deputies of the neutral cantons, who, according to the established law of arbitration, had been chosen umpires, decreed, among other articles of less moment, that if the Schwitzers could within six weeks produce unquestionable evidence that the late Count of Tockenburg had actually authorized his people to accept the freedom of Schwitz after his demise, the recent compact between those parties should be valid; and that, since the dowager countess had, probably not without the concurrence of Zuric, accepted from the Duke of Austria the reimbursement of the mortgage of Windeck, he had an undoubted right to authorize this compact respecting that district and the Gaster, unless Zuric could prove that the right of redemption belonged to them and not to the duke. The deputies having issued their decree, mounted their horses on the ninth of March; but before they left Lucern they perceived the indignation of Stussi and his colleagues, who looked upon this award as a complete overthrow, even their co-burghership with Sargans being virtually invalidated by the adoption of the maxim, that the consent of the sovereign was necessary for such an union.

Their wrath did not abate when they were soon after apprized that the dowager countess, weary of the incessant turmoils to which she saw no probable termination, and in which she was not effectually protected by her co-burghers of Zuric, had, with the reservation of a certain revenue, made

over all her claims to the dominions of Tockenburg, to the cousins of the late count, who immediately thereupon not only accepted the freedom of Schwitz and Glaris, but soon after even mortgaged to these cantons the, to them most important, seigniory of Uznach; and that the Duke of Austria moreover, unable to curb the spirit of his subjects in these parts, had made over to the same cantons, likewise by mortgage, the whole Gaster, together with the seigniories of Windeck and Wesen, and the advocacy of the abbey of Schennis; all which, having never been redeemed, have to our days continued in their dependence. Zuric now availed itself of a public calamity in order to gratify its resentment, and after a severe frost, and a hail storm which had frustrated the hopes both of the vintage and harvest, shut its markets to the people above the lake, who depended chiefly upon them for bread and wine. Thus were the minds of all parties progressively inflamed, and impartial men saw and lamented the certain prospect of a relentless and destructive war.

Such was the alarming state of affairs in this country when the Emperor Sigismund died; and was succeeded on the imperial throne by Albert of Austria, king of Hungary and Bohemia, cousin of the Duke Frederic of Austria, who held his court at Inspruck, and whose name has often occurred in this narrative. This duke had appointed keepers to his castles of Freudenberg and Nidberg, in Sargans, who, no less infatuated than most of their predecessors, had by cruelties and oppression rendered themselves odious to the people. This people claimed the protection Zuric owed them as co-burghers, and Stussi without delay proceeded with the banner up the lake, and into the Gaster. He met with some opposition from 1438.

CHAP. II.

the inhabitants of this district, who were unwilling to admit men who refused to give them bread; but yet he penetrated, and, though with much difficulty, succeeded to take and demolish the two castles. He returned with a number of prisoners, some of whom were natives of the Gaster and the Marches, whom their countrymen saw with indignation led along in disgraceful bonds, and who, had Zuric cherished a conciliating spirit, would have been immediately released. Malicious and inflammatory reports having moreover been spread, during this expedition, of the insidious designs of both parties, each thought it expedient to secure itself by arms. Zuric advanced a body of men to Pfeffikon on the confines of Schwitz; and this canton raised its banner on Mount Etzel, between that post and Einsidlen; and together with Glaris sent forces to secure Uznach and the Gaster. The consequence of the expedition of Zuric against the castles in Sargans was moreover an open rupture with Austria; and the tenor of its whole conduct at length wholly alienated the minds of the Confederates from its cause.

1439. The burgomaster, who had now led the banner of Zuric to Pfeffikon, sent a messenger to the Schwitzers on Mount Etzel, with an offer of an appeal to the king of the Romans; and declaring that, if the bearer did not instantly bring back an unconditional acceptance of this proposal, his burghers were resolved to right themselves by force of arms. The Schwitzers, with all due deference for the head of the empire, of which they were all equally members, answered that, as their confederacy had established a law of arbitration, they saw no reason for departing from it in the present instance: that however, provided this law be adhered to, they were willing

to accede to any modification, as to place or persons, that Zuric could reasonably demand; but that if this offer was rejected, they would take proper steps effectually to provide for their own safety. In the night after this fruitless negociation [35] Stussi sent Ulric de Lommis with one thousand men to the foot of Mount Etzel to observe the Schwitzers, whilst he himself with his main force proceeded towards the March, proposing no doubt to intercept the communication between the Schwitzers and their new allies, and perhaps to fall upon the rear of Reding, while Lommis should assail him in front. These movements, and the purport of them, did not escape the vigilance and penetration of the landamman: he cautioned the people of the March, moved his camp to the highest part of the mountain, and ordered his men to observe the strictest silence. Before day break, came to him deputies from Uri and Underwalden, conjuring him to postpone hostilities, in order to afford them time for another attempt towards an accommodation. They had not ceased speaking, when a hasty messenger came panting up the mountain, and holding up a letter from Lucern, in which the senate, deprecating the day when the first drop of blood should be shed by the hand of a Confederate, called upon their friends of Schwitz by all the sacred ties of piety, compassion and patriotism, to confide in them, and the zealous endeavours they were exerting to restore tranquillity. Reding was consenting to a short truce, when on a sudden the discharge of fire arms was heard at a distance, and the noise of combatants seemed to be drawing near. Lommis, observing a perfect stillness on the mountain, and imagining that the Schwitzers had withdrawn to some other part,

[35] May 3.

CHAP. II.

sent a detachment of fifty men, which was followed by fifty more, to explore the wood, and the acclivity above it. These advanced incautiously, and soon fell in with the out-posts, which they, regardless of the orders they had received, rashly attacked, and thus occasioned the tumult which had been heard above. The assailants were easily repelled; eleven of them, the first victims of this civil discord, were killed; a flag, and many arms and acoutrements were taken, and the Schwitzers advanced to inflict vengeance for this unexpected insult. The deputies of Uri and Underwalden, however, prevailed upon Reding to recall his forces, and they accordingly resumed their station on the mountain. Stussi hearing of this encounter, and finding the boundaries of the March too well defended to admit of a surprise, returned to Pfeffikon.

The anxious solicitude that now spread throughout the land, gave rise to numberless deputations, remonstrances, entreaties, and even menaces. Twenty mediators from Uri and Underwalden; thirty from Berne, Lucern, Zug, and Soleure; many from Appenzel, and from the principal imperial towns between Constance and Strasburg, came to the hostile camps, and laboured incessantly to soften the rancour of the exasperated rivals. Despairing of a perfect reconciliation, they rejoiced when they could obtain a respite of a few days, or even hours; and they exulted when they at length brought about an armistice for the term of one year, Zuric consenting to suffer the exportation of some corn to the Schwitzers and their allies, and of a limited quantity of wine to the abbey of Einsidlen.

The troops withdrew; but their inveterate enmity still rankled in their breasts. Zuric laid a formal complaint before King Albert, as the last resort in all dissensions between mem-

bers of the empire, and obtained a rescript, which summoned the parties before his aulic tribunal: but before answers could be given to this mandate, he died in Hungary.[36] The aged Duke Frederic had died not long before[37] at Inspruck, and, his son Sigismund being a minor, his nephew Frederic, son to Duke Ernest, took possession of his dominions, and of the ample treasures he had amassed during the latter part of his long and eventful life.

King Albert had, during his short reign, been induced to grant the whole inheritance of Tockenburg, without distinction of fiefs, allodials, or freeholds, to the several kinsmen of the late Count Frederic, leaving the distribution and allotment of them to their own determination.[38] These co-heirs, being well acquainted with the temper of the people they had now to govern, willingly confirmed them in all the privileges to which they appeared to have just claims, and even extended their compliance beyond the exact limits of pre-existing rights. The people were henceforth allowed to share in the election of their magistrates: they were not to be controlled in the free disposal of their lands and chattels; nor to be restrained when inclined to marry, or leave the country: no one who could give sufficient surety was to be detained in prison:[39] all sentences were to be conformable to the established laws, and

[36] October 27. [37] June 24.

[38] Hildebrand and Peter de Raron, and George de Razuns received the county of Tockenburg; the Counts of Tetnang and Sax had the best part of Pretigau; and Wolfard de Brandis obtained Malans and Mayenfeld.

[39] This *Habeas Corpus Act* is above two hundred years older than that upon which Englishmen so justly pride themselves. It was peculiar to the people of Thurthal in Tockenburg.

CHAP. II.

never arbitrary. These laws likewise limited the extent and mode of taxation, and provided that the descent of property be in all cases free, and subject to no retribution to the sovereign. If we contemplate the willingness of the lords in granting what their predecessors would have refused with scorn, and the moderation of the people in asking, when they saw such a readiness to comply; and if at the same time we consider the insurmountable obstacles that prevented an amicable accommodation between Schwitz and Zuric, we shall be led to conclude, that in fact all human affairs are either easy or difficult, according to the temper and inclination of the parties by whom they are transacted.

Whilst obstinate pertinacity, under the mask of firmness, was preparing a calamitous and reproachful war, at a time also when famine was still threatening the devoted country, a pestilence broke out at Basle, which spread its ravages all over the towns, valleys, and plains of Helvetia, and thinned the nation, already harassed by a variety of other apprehensions and real disasters. Hundreds died at Basle in a day; one quarter of the inhabitants of Zuric perished; four thousand were buried at Constance, and scarce an individual remained who did not lament the loss of a friend or near relation. Among these thousands of innocent victims, the guilty authors of the impending desolation were not cut off; they survived, saw the present miseries without commiseration, and meditated future disasters without compunction.

Early in this year, the deputies of the neutral cantons assembled once more at Schwitz, and used every argument they could devise to dispose the minds of this artless people to a perfect reconciliation; and after much persuasion, a proposal

was brought forward, to which Zuric it was said had already assented, of abstaining from all hostilities until another legal decision could be obtained. The Schwitzers, who had never betrayed the least inclination to resist a constitutional award, were offended at these urgent admonitions of their confederates; and yet, waving every motive but that of accommodation, they freely accepted the proposal. The deputies conveyed the joyful tidings to their countrymen, that war was happily obviated; and the shepherds of Schwitz resorted to their Alps without mistrust or apprehension.

On their return in autumn, finding a scarcity of provisions in their towns and hamlets, they repaired to the market of Rapperswyl for a fresh supply; but here, to their great surprise, they found that Zuric had indeed amply stocked that market, but had given strict orders not to admit any purchasers either from Schwitz or Glaris: they learned also that several of their countrymen, and even the Abbies of Einsidlen and Schennis, had been debarred from the produce of the lands they held on the lake of Zuric; and, as if this had not been enough to exasperate their minds, a troop of disconsolate women came, who had been in the territories of Zuric to assist in the harvest, and who offering with their earnings to purchase provisions for their children, had been cruelly denied, the burgomaster having scornfully rejected their earnest but humble supplications. The shepherds now swore to be revenged. Ten of them met as many deputies from Glaris, at Lachen in the March, to concert a plan for their future operations: they resolved, still willing to afford time to Zuric for repentance, to commence hostilities in the remote county of Sargans: they summoned their new allies, and among them Count

CHAP. II.

Henry of Werdenberg, the lawful sovereign of that county, to meet at Wesen, where they would be joined by eight hundred of their own countrymen. In order to secure their own country, the chiefs caused their banners to be erected on the mountains Etzel and Eggen, in the Marches; and also called upon the whole confederacy to assist in repelling these unmerited insults. Zuric, on the other hand, likewise issued summons to the cantons, intimating how greatly it would grieve them to be compelled to call in foreign aid.

Ital Reding, and Jobst Tschudi, arrived at Wesen, with their eight hundred men, on the twenty-fourth of October in the evening, and declared to the people of Sargans, that their purpose was to compel them to the obedience they had long owed to the count, their lord. Next morning they proceeded up the lake, and met Peter Weibel, the chief of the faction of Zuric, who, with three hundred men, had occupied a strong post above Wallenstad, where, with ordinary skill and bravery, he might have resisted thousands. On the approach of an enemy however, his courage failed him: he fled dismayed; and his men, following his example, took refuge in the town, where they spread a panic, which soon brought on a surrender. The whole country upon this sent offers of submission; and in three days, without the least bloodshed, the count was reinstated in all his rights, prerogatives, and property in this territory. Even Peter Weibel returned, craved for mercy, and obtained it, on condition of his indemnifying some individuals whom he had injured during his short-lived usurpation. Reding and Tschudi upon this returned, and on the first of November, joined the banners which had been raised at Lachen, and were surrounded by near three thousand spirited,

handsome, vigorous, and well-appointed youths, equal to any enterprize.

On the succeeding day the following declaration was sent to Zuric: 'Know ye, burgomaster, senate, council, and 'burghers of Zuric, that we, the landammen, councils, and 'communities of Schwitz and Glaris, on account of the vio-'lence, injustice, and grievous insults, which you and your's 'have inflicted upon us and our's, contrary to our laws and 'compacts, and the dictates of honour, have resolved to be 'your enemies, and to avenge our wrongs.' The chiefs of Sanen, Gersau, and Wiggis, added their declarations of hostilities; and the messenger to whom they were intrusted conveyed them in a bag, instead of tying them to his staff.[40] On his way he learnt that the burgomaster had proceeded with the city banner, and forty vessels full of men, up the lake, and had already landed at Pfeffikon; he also saw small parties from all the villages, which appeared in full march to join him. He repaired to the camp, and delivered the instruments; but was received in an outrageous manner, and even with blows, for having omitted to bring them on his staff. Late in the succeeding night arrived one thousand men, with the banners of Uri and Underwalden, at the foot of Mount Etzel, doubtful as yet which side they should espouse. They again admonished the Schwitzers to proceed with moderation; and intimated, that a rash measure might induce them to accede to the adverse party. Reding answered, 'we are weary of 'repeated and unsuccessful appeals to the law of arbitration: 'our long negotiations and patient forbearance have not sup-

[40] The messenger of Zuric, in the preceding year, had set the example of deviating from the usual form of conveying these declarations, tied to a staff.

CHAP. II.

'plied us and our children with bread: our cause is just: we 'will entertain no doubt of the assistance of our confederates 'and are resolved to proceed.' The men of Uri and Under walden deliberated upon this answer; and numbers of them among whom were many dependants on the great monastery at Zuric, inclined in favour of that city. The result was still dubious, when Werner de Frauen, the banneret of Uri, a calm silent man, stepped forward, and 'Heaven forbid,' he said, 'that the banneret of Uri should raise his standard 'against men who have ever been ready to conform to the 'laws of our confederacy, and in favour of men who have al- 'ways refused to comply with it unconditionally.'—The assembly hereupon exclaimed unanimously, 'The banneret is 'right:' they joined the camp, and sent their declaration of hostilities to Pfeffikon. Stussi was greatly disconcerted at this notification, not only because he never expected that these cantons would take an active part in the war, but because he dreaded the impression this declaration would make upon the rest of the Confederates.

These allied forces advanced now in two close columns, passed the frontiers, and pillaged and burnt several houses. Their scouts on the next morning reported in the camp, that all the Zurichers had disappeared. Suspecting a stratagem, the chiefs sent parties to explore the country, and actually learnt that fifty-two vessels had been seen moving across the lake. They then proceeded, but with the utmost caution, and took possession of Pfeffikon. Here they were told, that in the middle of the preceding night a violent commotion had arisen in the camp of the Zurichers; and that, without order or subordination, the men had all stepped into their boats, and put off

towards the opposite shore. The inhabitants of the town came to the chiefs of the allies, implored for mercy, and craved that their houses might be spared. The castle opened its gates. This seigniory, though it had on this occasion sided with Zuric, was originally a dependance of the abbey of Einsidlen. During the panic of the preceding night, the people had sent for the abbot, who happened at this time to be at Rapperswyl, and intreated that he would intercede in their behalf. The reverend prelate rode up to the camp, followed by the suppliants, and obtained that, on their renewing their allegiance to their abbey, and to the canton of Schwitz its advocate, not only their houses and goods should be spared, but no contributions, not even of provisions, should be levied upon them. Two hundred of the allies hereupon took possession of Hurden, on the peninsula which, opposite to Rapperswyl, divides the upper from the lower lake; and the main body proceeded to Richterswyl and Wadiswyl, as far as Kilchberg, within three miles of the city. The Zurichers in their retreat had landed at Urikon, but, after a short stay and a tumultuous debate, had returned to their boats, and instead of coming across the lake and meeting the invaders, had steered their course to Zuric. The Confederates saw them from the shores with amazement, and declared, that surely 'God had struck them 'with cowardice.' The day after their arrival at Zuric, the council received likewise the declarations of hostilities of Lucern and Berne. The former had already sent twelve hundred men to the army of the allies, and the latter advanced two thousand men to Aldiswil, on the Sil; while the nobles of Argau, having collected a body of horse, entered the town of Mellingen, on the Reuss, and menaced the city. The Zugers

CHAP. II.

now also sent in their declaration, and with a reinforcement from the main army, advanced into the free bailiwicks of Mashwanden, between Mount Albis and the Reuss.

The whole country now felt the horrors of a war, in which the soldiers, having expended the small stock of provisions they had brought with them from home, were to subsist upon the store of the wretched inhabitants. The once populous and fertile shores of the lake were now deserted; the people in the villages, on the least uproar, instantly crying out 'Fly, 'they are coming.' The fugitives who flocked into the city, palliated their desertion by exaggerated accounts of the gigantic stature, fierceness, and barbarity of the savages who poured down from the mountains, and of the atrocity of Reding, their leader and demi-god.

Whilst the burghers saw the smoke of the villages on the western side of the lake, they heard an alarm from the eastward, and learnt that a foe was approaching from Thurgau. Berenger de Landenberg had joined the Barons of Tockenburg; and after taking the town of Elgg on the confines, and Andelfingen on the Thur, had advanced as far as Kloten, not many miles from Zuric. The council also received notice that Count Henry of Werdenberg, with the men of Sargans, Uznach, and the Gaster, was marching down the right banks of the lake; that he had proceeded as far as Gruningen, and laid waste a large district of that luxuriant country. The terrified inhabitants had sent to the city for protection, but received for answer from the town clerk, 'that it was evident 'their courage and fidelity had wholly deserted them; and 'that whatever the enemy might leave them, Zuric would be 'sure to pillage.' This was not a mere threat, for wherever

the invaders evacuated a place, the burghers never failed to seize on all the cattle that had been left behind, and drive it into the city

Zuric was in this state of humiliation, bordering on despair, when a small number of imperial cities[41] revived its drooping hopes, by a tender of mediation. They sent Hugh de Montford, grand master of the order of St. John, and the Baron John de Hewen, brother to the Bishop of Constance, to the camp of the allies, where they represented in strong terms the compunction of the burghers, and proposed a meeting for mutual communication. The allies perceiving that through the waste that always attends plunder, provisions began now to fail; that no further progress could be made for want of implements for a siege; and that, in fact, the object of the war might be considered as fully obtained, shewed no reluctance. The Zurichers at the first interview declared their readiness to accede to the law of arbitration, and to submit to the award of any of the Confederates; or, should it be deemed improper that those who had been parties in the war should be appealed to as arbitrators, proposed James the Seneschal of Waldburg, Præfect of Suabia, as sole umpire. The leaders of Schwitz and Glaris demanded at first to retain all the territories they had taken in the expedition, as an indemnification for the losses they had sustained; but the Confederates insisted, that since Zuric had completely yielded, the terms of the accommodation should be left to the arbitrators. The two cantons offered to accept the Seneschal as umpire; but the Confederates again objected, alleging the danger of

[41] Basle, Constance, Ulm, Ravensberg, Uberlingen, Lindau, and St. Gallen.

CHAP. II.

suffering strangers to interfere in the domestic concerns of their country.

A pacification.

The difference was hence referred to fifteen Confederates, from Berne, Lucern, Uri, Underwalden, and Zug, who met in a field near Zuric, and agreed on the following terms: 'That 'Schwitz and Glaris should retain whatever Zuric had once 'possessed in the county of Sargans: that the seigniories and 'jurisdictions of Pfeffikon, Hurden, Uffnau, and all from the 'lake to the confines of Schwitz, be ceded to this canton: 'that all other conquests made by the allies be returned to 'Zuric, Gruningen and the free bailiwick of Mashwanden 'only excepted, which should be ceded to Berne:[42] that all 'claims for costs or damages be adjusted at a meeting to be 'held for the purpose at Einsidlen; and that meanwhile all 'that could be found of plunder taken from individuals be 'restored: and lastly, that free access be granted to Schwitz, 'Glaris, and their new allies, to the markets of Zuric.' Thus ended this first intestine war among the Confederates: happily, indeed, had it been the last. But notwithstanding the moderation and equity of the award, it yet unfortunately contained the seeds of a fresh war, far more calamitous and destructive than the late one, and which ended nearly with the current year.[43]

Zuric had no sooner recovered from its consternation, than it felt the disgrace and detriment it had sustained; nor could it reconcile itself to the loss not only of a part of its terri-

[42] Berne immediately restored them to Zuric; this being an expedient to obviate the effect of an oath, which Schwitz had taken, never to surrender those districts to Zuric.

[43] The award was dated December 3d, 14.

tories, but also of all the hopes it had fondly entertained of an ample share in the succession of Tockenburg. In monarchies the glory of a nation centers in the sovereign, and victories as well as losses are ascribed to him and his administration; whereas in commonwealths, where every man assumes a share in the conduct of public affairs, each trophy, and every defeat, make a deep personal impression, and a stain bequeathed from generation to generation must be revenged before it can be obliterated. In a body moreover, of confederate republics, nothing can be more pernicious than the conquests of one member upon another;[44] the jealousies, rancour, and mistrust they occasion being perpetual sources of dissensions, which must, in the end, prove detrimental to the union. The burghers of Zuric, impressed with sensations like these, were ready, it may be imagined, to embrace every opportunity which afforded a prospect of retaliation; but the first expedient they had recourse to no one could have predicted, and none surely would ever have imputed it to a member of the Helvetic Confederacy.

Frederick,[45] a grandson of the Archduke Leopold who had perished at Sempach, was now seated on the imperial throne, and had no sooner arrived at that exalted station than he manifested a wish to recover the territories in Helvetia of which his family had been lately bereaved. His first step, suggested

[44] 'Il est contre la nature de la chose, que dans une constitution fédérative, un etat 'confédéré conquière sur l'autre.' *Esprit des Loix*, x. 6.

[45] He is generally stiled the IV. though some make him the III. and others the V. emperor of that name: he was born December 23, 1415, and elected February 2, 1440. He reigned 54 years. His qualities were rather amiable than splendid: indolence was the prevailing feature of his character: he was pious, but not always honest.

CHAP. II.

no doubt by his desire to involve the Confederates in inextricable difficulties, was to send them an injunction not to make any restitution to Zuric without being previously apprized of his pleasure. The allies, however, did not avail themselves of this prohibition; for, though the barons of Raron, alleging the damages and costs they had sustained, refused to surrender the districts they had subdued, and the people of Gruningen, recollecting the answer they had received from the town clerk of Zuric, solicited to be annexed to the canton of Schwitz, yet the terms of the treaty were scrupulously fulfilled.

The recovery of the Argau was the main object which engrossed the attention of Frederick, and preparatory to it he sent several emissaries, the chief of whom was William Margrave of Baden Hochberg, prefect of the Austrian provinces in Suabia, to sound the dispositions of the people. The nobles who still resided in the Argau, and who remembered and regretted the preponderancy they had once enjoyed under the princes of Hapsburg, gave ample hopes of success, and moreover disseminated a spirit, even among the lower classes, which justified the expectation that they would willingly return to their former allegiance. This intention of Frederick, his preparatory steps, and the temper of the Argauers, did not escape the penetration of the burgomaster Stussi, and of Michael Graff, the town clerk of Zuric, his faithful co-operator in his ambitious projects. They caused it to be suggested to the margrave, 'that the pretended antipathy of Zuric against Austria 'was far from real: that Zuric remembered with exultation 'the happy intercourse that once subsisted between them and 'the great founder of the power of Hapsburg: that although 'some misunderstanding had arisen between them and his son

'Albert, they had not however screened his assassins from 'condign punishment: that they had fought with Leopold, 'and bled abundantly at Morgarten; and that their hands 'were guiltless of the blood of the second Leopold, Frederick's 'grandfather, who had been slain at Sempach: that whatever 'damage they might have occasioned in the late contest ex- 'cited by the Emperor Sigismund, it was not irreparable, since 'a great part of the territories wrested from Austria on that 'occasion were now in their hands, the hands of faithful and 'obsequious depositaries: that the attacks of the castles of 'Freudenburg and Nidberg had been the effect of troubles 'instigated by the Schwitzers; but that an object so trivial 'could not surely outweigh the advantages that might accrue 'to Austria from a return to a good understanding with its 'old friends of Zuric.'

The margrave perceived the tendency of this intimation, and advised the Zurichers whenever, like the other cantons, they should send deputies to the king for the confirmation of their liberties, freely to declare their sentiments on this subject; and promised that he would prepare his council for the overture. Henry Schwend, knight, one of the burgomasters, and Michael Graff, the town-clerk, were appointed to this embassy. They found the king at Salzburg, but under pretence of a multiplicity of affairs, were ordered to follow him, first to Inspruck, where they disclosed the purport of their mission, and as a proof of the sincerity of their intentions, offered the surrender of Kyburg, the best half of their territories; and thence to Aix la Chapelle, to which place he soon after repaired for his coronation. Here, and on the very day of the solemnity, two instruments were signed, the first containing the cession

CHAP. II.

of Kyburg to Austria, and some regulations concerning the inheritance of Tockenburg, the greatest part of which was to be recovered by the contracting parties; and the second an alliance between the king and Zuric, to which the margrave of Baden, the Seneschal of Waldburg, the Bishop and city of Constance, the Rhætian leagues, and several other princes, prelates, and cities, were invited to accede. Zuric in this treaty made indeed a formal reservation of its engagement to the Confederacy; but it will appear in the sequel how little they regarded this plausible exception. All this was transacted with the greatest secrecy, insomuch that the deputies of the other cantons, who were apprized of the frequent conferences, found it impossible to discover the purport of them. Schwend and Graff reported their success at Zuric; and Stussi recovered all his influence in the council. The deputies of the other cantons, eclipsed no doubt in their simple garb and manners by the magnificence of the many princes, magistrates, and ambassadors, who resorted to the court [46] for investiture, solicited long in vain before they were admitted to an audience; and when at length they were suffered to urge their demand, they were answered, that as soon as the cantons should have acknowledged the right of Austria to the sovereignty of the Argau, the king would take their request for the confirmation of their privileges into consideration. The deputies, not being authorized to treat on this subject, were dismissed, with a declaration that this matter should be postponed until the king's intended visit to his western dominions, and perhaps, as he intimated, to Zuric.

The coincidence of the kind reception of the deputies of

[46] At this time removed to Frankfort.

Zuric at court, and of the declared purpose of the king to recover the Argau, led to the suspicion of a more than ordinary connection between Austria and that canton. The other Confederates held many conferences, and at one of them resolved to put Zuric to the test of a renewal of the confederacy. This was by no means declined by the city, and the confirmation was solemnly ratified in the month of May.[47] The Confederates had recourse to another expedient: being desirous, in the present crisis, to ascertain the disposition of the people in the Argau, they resolved upon a progress through the several towns and districts of that province, and called upon Zuric to add their deputies to the commission. With this the burghers likewise readily complied, and thus no charge could be brought against them, from which they could not ostensibly clear themselves. They did not deny the alliance, which in fact they were allowed to make by the terms of the confederacy; but they positively asserted that it contained nothing derogatory to the federal union.

The king now crossed the Rhine, and notified his intention of visiting Zuric. The burghers manifested their joy by all manner of demonstrations. Frederick arrived on the nineteenth of September: he was attended by a multitude of counts, lords, knights, and prelates, and upwards of one thousand horses, and was followed by no less than six-and-thirty baggage-waggons. Some Schwitzers, then accidentally at Zuric, viewed the procession from the bye alleys; 'God's 'mercy,' they cried, 'when will there be an end of these 'lordlings?' but what shocked them most was to see the

[47] Zuric in this could not be expressly taxed with breach of faith, for the alliance with Austria was not finally ratified till the 17th of June.

CHAP. II.

burghers adorned with peacock's feathers.[48] The king made an excursion on the lake to Rapperswyl, where he received the homage of the people. He loved the beauties of nature, and here admired the splendid scenery that surrounds the lake. He visited Winterthur, which now also became Austrian, and Kyburg, the newly recovered inheritance of his female ancestor the Countess Helwig. He then resolved on a progress through Helvetia. The valetudinarians assembled at Baden saw him with surprize in what had usually been called the duke's bath. He beheld the ruins of the citadel with concern. He hastened to Koenigsfelden, prayed at the altar raised on the spot where King Albert his ancestor had been assassinated, and visited the tombs of the beatified Queen Agnes, and of her incomparable mother. He slept at Bruck, and the next morning he rode over the plain that first nurtured his infant race; he saw on its eminence the castle of Hapsburg, and seemed deeply affected.

The Confederates, notwithstanding the refusal their deputies had met with at Frankfort, and the grounds of suspicion that perplexed them, resolved to pay him all possible honour; but this with a determined purpose never to cede the Argau, nor any part of their territories, to hold firmly together, and not to listen to any separate propositions made singly to any of them. The king accordingly was received with magnificence and prodigal festivity at Soleure and at Berne. The Friburghers exulted on seeing once more their sovereign among them. He received their oaths of allegiance, and then proceeded to Lausanne. He viewed and admired the beauties which delight every susceptible mind, on the banks of the

[48] See p. 206.

Lake Leman; and arrived at Geneva, where he was received in great state by the magistrates and clergy, and with the most engaging obsequiousness by the young, beautiful, and accomplished widow, Margaret of Savoy,[49] who, could she have effected the union with this monarch which her father[50] meditated, might have been the means of fixing the triple crown on his hoary brows. The king beheld her with kindness, but without emotion. He then crossed the Jura, and visited at Besançon, Philip the Good, Duke of Burgundy, and Isabella of Portugal, his consort, whose niece Eleonora he afterwards married. At Basle, although of the adverse party, he kissed the hand of the aged pontiff, and received his paternal embrace. The deputies of six of the cantons[51] met him at Constance, and renewed their solicitations for the confirmation of their liberties. He repeated the condition, that all things should be replaced in the same state they were in before the ratification of the fifty years truce. Argau at that time belonged to Austria. The deputies having no instructions for this purpose withdrew. The king proceeded through Arbon to St. Gallen, where he was splendidly entertained during three days. The people swore allegiance to him as burghers of a free imperial city; but they declined to accede to the league with Zuric, to which they had been invited in the treaty, but the consequences of which they foresaw and dreaded. Appenzel likewise rejected this alliance. The king now returned to Austria, leaving the Margrave of Baden his prefect in Hel-

[49] She had been less than one year married to Lewis of Anjou, titular King of Naples. She possessed a fortune of 200,000 crowns.

[50] The Antipope Felix V. then at Basle.

[51] Berne, Lucern, Schwitz, Underwalden, Zug, and Glaris.—Uri, which had no share in the sovereignty of Argau, had received its confirmation at Zuric.

CHAP. II.

vetia. Thus ended this portentous year, in which the ambi tion and revengeful spirit of a few individuals of Zuric brough the c nfederacy to the brink of ruin.

1443. Early in the ensuing year, frequent meetings were held by the Confederates to deliberate on the imminent danger that threatened their union. They repeatedly applied to Zuric to leliver up to them the deed by which the Emperor Sigismund had formally ceded to them the sovereignty of the Argau, and which had been deposited in the public archives in that city. This, under several specious pretences, was as often refused. They learnt that the seneschal had repaired to Appenzel, to persuade that people to side with Austria, and sent a deputation to counteract him. Waldburg had in fact urged every cogent motive, but received the answer, more frequent among primitive than polished people, 'an oath is an oath:' they had sworn to the confederacy, they said, and although theirs was not an equal eague, yet they were resolved to adhere to their engagement. To the deputies of Schwitz (Ital Reding was of the number) hey lamented the dangerous feud that had broken out between Zuric and the other cantons; but added, that their capacities not being equal to distinguish which party had justice on its side, they were determined to remain neutral.

Renewal of the War.

Meanwhile bodies of armed men in the pay of Austria were sent to occupy Rapperswyl, and the inhabitants on the western de of the lake of Zuric drew a strong intrenchment from orgen over Mount Hirzel, down to the frontiers of Zug. 'huring de Hallwyl took the command of the burghers of uric: by his order they all exchanged the white for the red oss, the former being the badge of the Confederates, and ie latter of Austria. When the Swiss first saw the Austrian

badge on the breasts of the Confederates, they fired with indignation and resentment. The nobles perceiving a disunion in the confederacy, which, while firmly combined, they had found invulnerable, exulted in the triumph they anticipated. Invectives and insults were lavished on both sides:[52] the clergy doomed the Confederates to eternal perdition: the most bitter rancour possessed every mind: acts of violence, especially on the side of Rapperswyl, where the wantonness and rapacity of the Austrian soldiers could not be restrained, became frequent and vexatious; but both the burghers and Austrians saw with disappointed rage, that they could not provoke acts of retaliation.

After repeated but fruitless negotiations, appeals, remonstrances, and mediations, Ital Reding, being apprized of various movements on the part of Zuric, at length displayed the banner, and raised it on mount Etzel. Jobst Tschudy, and the men of Glaris, joined him on the first summons. The impetuous ardour of the people admitting of no restraint, Reding hastened to send his declarations of hostilities both to Zuric and Austria; and early on Monday the twenty-first of May, several Schwitzers descended to the bridge of Rapperswyl, and broke down a part of it to prevent a surprise from that quarter. A detachment, however, soon after crossed over in boats, and burnt the village of Hurden. Deputies from Uri and Underwalden came now to the camp, and reported that their banners were in motion, but that their chiefs still earnestly recommended further steps towards an accommodation. Reding answered, that the dye was cast: that hostilities

[52] The shepherds were taxed with being over fond of their cows.

CHAP. II.

had been declared. 'How!' said the deputies, 'have you, 'without the concurrence of the Confederates, declared war 'to Zuric, and the formidable power of Austria?' They went away appalled, but soon returned with notice that their banners were advancing to join the camp. It was now agreed, at the request of Zug, which had been severely galled by the troops in the lines of Hirzel, that Uri and Underwalden should proceed to the succour of that city, while Glaris should march to the head of the lake, and cover the frontiers at Uznach. On the succeeding Wednesday the first engagement took place. Upwards of seven hundred nobles, burghers, and soldiers, came across the lake in thirteen vessels, and landed at Freyenbach, rather with a view to explore the country than to commence hostilities. Reding, with his wonted caution, suspected this to be a feint in order to allure him from his strong position, whilst a numerous body might turn his flanks, and fall upon his rear: he sent one hundred men to observe the motions of this detachment, with strict orders, if they found it too powerful for their numbers, to send immediately to the camp for a reinforcement. These men soon found the enemy to be far superior to themselves in number; but not one of the hundred could be prevailed upon to put on the appearance of flight, and retire to the camp. They twice drove the enemy, and were twice driven themselves, out of the village of Freyenbach; and after their second repulse, stood a severe conflict in a churchyard, till some of the out posts near Pfeffikon came in to their assistance. With this reinforcement they once more overpowered their adversaries, and at length drove them to their boats. The loss was considerable on both sides, and nearly proportionate to their numbers.

Action of Freyenbach.

Reding severely rebuked his countrymen for their disobedience of orders; but their success meanwhile was complete and splendid.

A conflict, much more severe and bloody, took place on the following Friday, near the intrenchment on the Hirzel, with the Austrians, burghers, and peasants, who, under the command of Hallwyl, occupied those lines. The Zugers had posted themselves at a bridge on the Sil, which formed their boundary on that side. Peterman de Lutishoffen Avoyer of Lucern, Puntiner de Brunberg Landamman of Uri, John Muller, and Merhi Zelger Landamman of Underwalden above and below the forest, having joined their banners, advanced and took their station at the village of Baar near Zug, between that town and the bridge defended by its burghers. The margrave and Stussi, meanwhile, with upwards of five thousand men, most of them Austrians, advanced from Zuric along the heights of Albis, and descended through Cappel towards the right of the intrenchment, with a view probably to penetrate through Zug into the heart of the canton of Schwitz. Here the skill of the burgomaster as a commander, in which, as well as his knowledge of the country, his army implicitly confided, proved defective. He advanced as far as Blinkenstorf, the first village in the territory of Zug, without having obtained the intelligence that three banners of the Confederates were actually in the adjacent village of Baar. Although no declaration of hostilities had as yet passed between Zuric and Zug, Stussi suffered nevertheless the houses of Blinkenstorf to be set on fire: they were all instantly consumed; and the flames, which at night were seen at a great distance, were, in fact, the declaration of war, and exasperated

CHAP. II.

the minds of the Confederates to a degree of frantic rage. Early the next morning he continued his march towards Zug, but he had not advanced far, when on a sudden some armed men, and the three banners at Baar, appeared in sight. Terrified at this unexpected apparition, the margrave and Stussi retreated: they were pursued to Cappel, but not overtaken; and before night they reached mount Albis.

The lines of Hirzel forced.

The Confederates now resolved to storm the lines. They advanced, four thousand in number, ascended the steep, and surmounted difficulties which none but men accustomed like them to precipices could have attempted: they had reached near the rampart when night approached, and the leaders urged the necessity of suspending the intended assault. Some of the enemy at this moment called down from the lines, 'come on, scoundrels, come on:' and others uttered still more opprobrious language. The enraged assailants, deaf to the commands and admonitions of their leaders, rushed up the steepest part of the mountain, while their chiefs, seeing the irresistible fury of their people, hastened after them with the banners. On Friday, May the twenty-fourth, at the hour of vespers, began the horrid carnage. The besieged used their great guns, harquebusses, and various missile engines, with great skill and effect, against the infuriated invaders; who, regardless of death and every obstacle, attacked the rampart at a place where it was deemed impregnable. Here fell the venerable Avoyer of Lucern, who both in the council and at conferences had ever and strenuously laboured to avert this evil: here perished also the two Landammen of Underwalden, and many valiant leaders. The bodies of the dead now filled the ditch. A hideous cry of 'slay, slay,' filled the air. On a

sudden sprung up from the left the men of Entlibuch: thirty of them fell on the first onset, the remainder rushed over their lifeless bodies into the line, the rest followed with irresistible impetuosity. Destruction now reached the hostile bands. Above three hundred men of Zuric, and among them their principal leaders, fell on the spot: the survivors gave way, and many perished in the flight. Those who escaped spread terror and dismay throughout the country, and conveyed to Zuric the fearful intelligence that the lines, on which the city depended for its security, had been forced. Stussi and his army withdrew into the city. The victors spent the night among the slain. No sounds of triumph cheered their exhausted spirits. Silent and sullen they gazed on the havock. The men of Zug arrived at daybreak: they saw the banner of Entlibuch pierced by an hundred shot: they saw the slaughtered leaders with defiance still marked in their countenances: they looked all round them, and wept aloud.

The banners of Schwitz and Uri now joined the dejected conquerors, and the army advanced towards mount Albis, and along the lake, without meeting with any resistance. Unprovided with the means of carrying on a siege, they left Zuric unmolested, but spread all over its territories, committing all manner of depredations; nor did they abstain from violation, slaughter, sacrilege, and all the outrages their vindictive fury could suggest. These people, especially the shepherds of the Alps, were the mere children of nature. When unruffled by passions their features bespoke benignity, probity, and forbearance; but in the rage of war they, like David, and the heroes of Greece and Rome, displayed a ferocious ardour incapable of control. Many when taken

CHAP. II.

prisoners chose to die the death of Cato: fear was unknown to them, but insult they could not endure. At length the army gathered and encamped at Lunkoffen near the Reuss, expecting a reinforcement from Berne.

The Berners, who had always been averse to the war, had hitherto declined interfering in it. They were now however encamped, when deputies from Schwitz came to them, and emphatically represented the imminent danger to which they and the confederacy were at this moment exposed.[33] 'Dear trusty 'Confederates,' they said, 'remember the day of Laupen, 'when your ancestors, being threatened with utter ruin by 'the nobles, sent Kramburg to us to demand our aid. We 'were not at that time allied to you; and yet, what did we 'say? "Need," we said, "is the test of friendship." You 'have heard of the tears of joy that were shed when our 'banners were seen approaching to your walls: you know 'what Erlach said after the victory: "This day shall be an 'everlasting pledge of our union." From that day have we 'been allies. Men of Berne! sons of the conquerors of Lau-'pen! we are now involved in great difficulties: the power of 'Austria, to which Zuric has basely surrendered, bears heavy 'upon us: numbers of ours have perished within these few 'days; and our enemies expect great reinforcements from dis-'tant parts. We may be overpowered. Dear trusty Confe-'derates! "Need is the test of friendship".' The name of Laupen was decisive. The magistrates, towns, and people of Berne and Soleure, sent their declarations to Zuric.

The first attempt of this combined army, which now

[33] They knew that the margrave had promised, and was actually negotiating, to bring numerous forces out of Germany against the Confederates.

consisted of upwards of six thousand men, was to reduce Bremgarten, which had sided with Zuric. This place was capitulating when deputies came also from Baden with the keys of their city. The seventh share which Zuric possessed in the sovereignty of these towns, was now transferred to Berne. The Confederates, in hopes of alluring the burghers of Zuric out of their walls, marched by its gates, ravaged the country on the east side of the lake as far as Rapperswyl, and disturbed the ashes of the illustrious dead, who lay entombed in the abbey of Ruti. The excesses committed by the young warriors had by this time occasioned a scarcity of provisions, which obliged them to quit the field. They all retired to their homes, after a most bloody and destructive expedition, which had lasted nearly one month. The next month they rested.

Action at the Chapel of St. Jacob.

During this suspension, Thuring de Hallwyl marched out of Zuric and made an attempt upon Bremgarten; and John de Rechberg, one of the most inveterate enemies of the Confederates, ventured to attack the town of Wyl, a dependancy of the heirs of Tockenburg. Both enterprises proved unsuccessful; but they failed not to draw on fresh miseries upon the wretched people, who had not yet cleared away the rubbish from their desolated habitations. Six banners of the Confederates appeared again on the borders of the lake.[54] On Monday the twenty-second of July, they met at Hedingen, and before daybreak marched up mount Albis. The clefts and narrow passes were guarded by parties from Zuric. Three large dogs were the first assailants, and occasioned an alarm among the burghers, which, especially when they saw the enemies on the heights around them till then deemed

[54] Berne took no part in this expedition.

CHAP. II.

inaccessible, induced them to abandon their posts. The Confederates being now masters of the mountain and the road to Zuric, advanced with speed towards the city. The council, where on this day Stussi sat for the last time, assembled, and gave orders for the defence of the city. The horse were sent out to harass and detain the approaching enemy; and all the burghers, without distinction of age or rank, armed, and were ordered to draw out between the walls and the river Sil, within a short distance of the gates. They, however, deeming it inglorious not to face an enemy in an open country, crossed the river, and formed in a meadow surrounded by a quick hedge, near a chapel dedicated to St. Jacob. Here they saw the banners moving rapidly down the steep. The men of Schwitz and Glaris repelled the horse, and advancing along the foot of the mountain, entered the village of Wiedikon. Reding, their leader, had recourse to a stratagem, which men of more probity than wisdom have reprobated, as if every expedient which, by bringing a conflict to a speedy issue, may prevent the effusion of blood, were not commendable. He caused a red coat to be cut into small pieces in the form of crosses, and ordered two hundred of his most select warriors to fasten them on their breasts, as the badges of Austria, still retaining (in order to obviate mistakes) their own distinctive symbols, the white crosses, on their backs. These men, should the enemy be thrown into confusion, were ordered to fall in among them, and complete the discomfiture. The sun stood high, and the heat was intense, while the Confederates were advancing, through corn fields, towards the chapel and the fence. The burghers, at this time, were feasting on the abundance of wine and provisions which had been sent out to

them from the city, and were singing and shouting, confident of the victory they thought their superior numbers must insure them. The two hundred Schwitzers came forward on the left, and caused some alarm; but the burgomaster, perceiving their red crosses, suffered them to advance without impediment towards the bridge. The burghers knelt, prayed, and shot their arrows through the hedge as soon as they thought the enemy within reach; but on a sudden, seeing the chief banner of the Confederates burst through the fence, and the hostile ranks spreading in front with incredible celerity, a sudden panic seized them; they became deaf to the voice of their leaders; 'fly, Zuric, fly!' was the general cry, and they all ran with the utmost speed towards the bridge. They now perceived the white crosses on the backs of the two hundred Schwitzers, and seeing themselves surrounded by dangers, the rout became general. Stussi in this extremity conducted himself as became a knight and a chief magistrate: seeing the banners of the Confederates advancing rapidly across the meadow, he raised his ponderous battle ax, and placed himself on the middle of the bridge: he upbraided the yielding ranks, and with a tremendous voice,[55] called out, 'halt, burghers, halt!' but they, both blind and deaf to every order or rebuke, rushed by him, and left him singly exposed to the pursuing foe. Surrounded by carnage, he stood unmoved, like a rock dashed by raging billows. His lofty stature, his hoary head, his commanding aspect, awed even the most daring of his assailants. A harsh reproof he uttered, exasperated one of his own straggling burghers. 'By God's wounds,' said the traitor, 'thou art the cause of all this evil;'

[55] Σμερδαλέα ἰάχων.

CHAP. II.

and levelling his spear, pierced him through the body. Thus fell the undaunted chief; his armour rung; the bridge shook under his massy weight. His death was glorious. for he died in the discharge of his duty.

While he was wallowing in his blood, many of the Confederates ran over the bridge, and some entered the city with the fugitives. A man of Glaris overtook the banneret of Zuric in the streets, slew him, and took his flag from him. A peasant of Zuric, privy no doubt to the contemptuous answer formerly sent by the town-clerk, met him in the utmost trepidation. 'This,' he said, 'comes of thy insulting 'letters,' and instantly stabbed him; too late alas! for the good of his wretched country. In the midst of this confusion and dismay, no one thought of the gate, which remained still open. A woman at length (her name was Ziegler) hastened, and let down the portcullis. The man of Glaris who had captured the flag, seeing himself cut off, handed the trophy across the bars to one of his comrades, and was soon after killed. The burghers now mounted their walls and towers, and at length repelled the assault. Mean while the Confederates pillaged the suburbs, and stripped the dead. The body of Stussi was dragged by some men of Glaris, perhaps his kinsmen, to a neighbouring hedge, stripped, mangled, and hacked into small pieces, which they scattered in the river.[56] Such was the end of a man of eminent endowments, who would

[56] They are said to have smeared their boots and spears with his fat, and to have bandied about his heart from hand to hand, and with his blood to have drawn indecent figures on the walls of the chapel. Except lately at Paris, where the people were once religious and polite, we have scarcely an instance in history of greater enormities than those committed in this fatal war.

have ranked high in the temple of Fame, had he been as solicitous for the good of the confederacy, as he was for the partial advantage of his own city. His statue, in full armour, with his broad sword and battle ax, his helmet and his long beard, as he went forth on this hapless day still honoured and obeyed, is yet extant at Zuric, on a fountain, near the house he is supposed to have inhabited.

The Confederates remained four days on the field of battle, challenging an attack. They burnt the church of St. Stephen in the suburbs, and the villages of Wiedikon, Rieden and Altstetten, and ravaged all the country as far as Kilchberg. Seated on the mangled bodies of their enemies, and with piles of dead before them as tables, they saw the flames, and feasted.

Such are the horrors of a civil war!

Invasion of the Armagnacs.

During the short cessation that preceded this bloody expedition, the Margrave of Baden, seeing what men he had to contend with, and apprehensive of a factious spirit, which gradually manifested itself among the burghers of Zuric, addressed himself to the princes of the empire, urging the necessity of a general concurrence in a war which he represente as highly dangerous to all their respective interests. He succeeded with few; and King Frederick himself was at this tim too deeply engaged in a war against the Turks, the Hussites and many of his own subjects, who murmured at his withholding certain territories which of right belonged to othe branches of his family, to afford any effectual assistance in th Helvetic contest. In this dilemma, the Margrave resolved t have recourse to the Armagnacs.

These roving bands, which, ever since the days of Cervol

CHAP. II.

and Ingelram de Coucy, had chiefly subsisted on indiscriminate plunder from friends and foes, as opportunities offered, or their wants demanded, had of late, during the wars between France, England, and Burgundy, been trained to discipline, and commanded by two Counts of Armagnac, from whom they had derived their recent appellation. They were the terror of all the provinces they approached; and many indigent nobles, and lawless vagrants of Germany, England, and other countries, encouraged by their example, had adopted a course of life similar to theirs. The French king, Charles the Seventh, and Philip Duke of Burgundy, after peace had been restored between them, and with England, in order to free the country from their depredations, had taken most of these adventurers into their pay. The margrave, in the name of Frederick, sent first to the Duke of Burgundy; but the conditions Philip prescribed being such as the king did not think fit to comply with, the application was made to Charles, who not only readily accepted the offer, but even named his son the dauphin, to command the intended expedition, for which he destined an army of no less than fifty thousand men.

The Confederates, after the battle near Zuric, and the ravages they had committed, not only in that vicinity, but all over the territories of that devoted canton, had once more retired to their homes. Several mediators, and among them many of the prelates at the council of Basle, assembled various meetings, and effected an armistice of eight months, and even appointed a congress for a general pacification. This congress
1444. actually met at Baden on the twenty-second day of March; but the abolition of the league between Zuric and Austria, on the one hand, and the surrender of all the conquered territo-

ries on the other, being still insisted upon as indispensable preliminaries, all negotiation proved once more ineffectual. When the terms proposed were brought to Zuric, and submitted to the consideration of the council, the burghers, who had received some intimations of their tenor, rose on a sudden, attacked and forced the town-house, seized several of the more moderate senators, confined them, and caused two of them to be publicly beheaded.

Preparations for war were now renewed with redoubled ardour; and the Confederates, being likewise joined by the Appenzellers, once more took the field, and towards the end of April[57] assembled at Kloten. Hence they sent a circular letter to all the princes and states of the empire, vindicating their conduct: and at length resolved to lay siege to the city of Zuric. Meanwhile Thomas de Falkenstein, a co-burgher indeed, but a declared enemy of Berne, by whom he thought he had been injured in a legal decision, fell, with a body of Austrians, and of his own vassals, into the Argau, attempted the town of Arau, but being repulsed, marched down the river to Bruck, which he reduced; and led away many captives, whom he confined in his castle of Farnsberg in the Frickthal. Berne being determined to revenge the insult, invested this castle.

These two sieges were proceeding with equal vigour and obstinacy, when the dauphin with the Armagnacs, led by John de Rechberg and Burcard Monk, of Landscron, two inveterate foes of the Confederates, arrived in Alsace, and spread terror and devastation not only throughout Helvetia, but far into the heart of the empire. He fixed his head quarters at Monbel-

[57] The armistice expired the 22d of April.

CHAP. II.

liard, and hence proclaimed his intention of raising the sieges of Zuric and Farnsberg. The magistrates of Basle however, fearful lest he might likewise have some design upon their city, where the council (to which France, at the instigation of Pope Eugene, was adverse) was still assembled, sent to the confederates to solicit a reinforcement.

Action at St. Jacob near Basle.

The urgency of the case, in which the whole nation was manifestly and deeply involved, admitted of no hesitation or delay. Sixteen hundred[58] men were immediately detached from both camps, and on the twenty-fifth of August, advanced from Farnsberg towards Basle.[59] In the evening they fell in with an advanced guard posted at Prattelen, which retired without offering much resistance. Proceeding to Muttenz they met with a detachment, eight thousand strong, which stood its ground. They attacked it with the utmost impetuosity, routed it, and took many arms, horses, and some colours, which they returned to the enemy as evidences of their victory. Early the next morning they arrived near a bridge over the Birs, and met emissaries from Basle, admonishing them not to attempt the passage of the river, the main army of the dauphin being posted on its opposite banks. They might now have retreated with honour: but flushed with the successes of the preceding day, and not doubting but that, as they were now within a mile of Basle, the burghers would make a seasonable diver-

[58] Some authors say only 1200.

[59] The names of their leaders are amply entitled to a place in the annals of their country. Henry de Bubenberg, Ulric d'Erlach, Rudolph de Ringoltingen, and John de Muelleren, led on the Berners; Peterman Goldsmith, Ulric de Hartenstein, Werner Keller, and John de Wyl, commanded the Lucerners; Henry Arnold, and Eric Spieck, the Urners; John Muller, and John Meler, the Underwalders; and Jobst Spiller and Erni Everard headed the Zugers.

sion in their favour, they resolved to accomplish the purpose for which they had been sent, or to perish in the attempt. They came to the bridge, but found it so strongly defended, that the forcing it was deemed wholly impracticable. They now threw themselves into the torrent, crossed it with the utmost speed, rushed up the opposite bank in the face of a numerous artillery, and began a dreadful slaughter, mowing do n whole ranks of the enemy with their massy halberts, not, however, without great loss on their own part. Their forced marches, their previous conflicts, and their present arduous contest, had now so totally exhausted them, and their numbers were so greatly reduced, that, in hopes of some respite, they turned off to the right, and took shelter in the churchyard and orchard belonging to the hospital of St. Jacob, both surrounded by high walls. The burghers of Basle were at this critical moment preparing to send out a detachment; but the dauphin, who expected the attempt, had posted eight thousand men on an eminence near the gate, who, had the garrison ventured the sally, would have cut off their retreat, and exposed them to inevitable destruction. The cannon of the French, meanwhile, had not only thrown down the walls, but also set fire to the hospital; and the Confederates, in the midst of flames and ruins, found themselves at the same time exposed to the attacks of accumulated numbers, without any defence but their firmness and valour. They still might have retreated without any disparagement to their honour; but after a short consultation, they resolved to devote themselves for the good of their country, and fall together. The heroic deeds that were achieved in this memorable conflict, the number of fierce assaults this devoted band sustained

CHAP. II.

and repelled, how each warrior fell successively on the identical spot he had first occupied, are facts imperfectly related, but may be well inferred from the general circumstances of the action. They fought ten hours without intermission; till at length exhausted, but not conquered, they all (twelve only excepted) lay lifeless on the field of action. Each had four or five enemies around him, whom he had dispatched before his fall. Æneas Sylvius, who was then at the council of Basle, relates that many of them, after having shot all their arrows, drew out those which had transfixed their own bodies, and returned them to the enemy. Burcard Monk, the faithless guide of the invaders, riding in the evening over the field of slaughter, exclaimed triumphantly, 'this is indeed a bath 'of roses!' An expiring Swiss heard him, raised himself upon his knees, snatched a large stone, and hurled it at the head of the vaunting traitor, who died three days after of the contusion. The twelve, who, when no hopes remained, retired from the carnage, with difficulty escaped the hands of the executioner, to which the law of Sempach doomed all who turned away from an enemy.[60]

The dauphin concealed the number of his slain, by causing them to be immediately committed to the flames; but six hundred dead horses found on the field of battle sufficiently evince the magnitude of his loss.[61] Fearful of such another

[60] In the Voyage Pittoresque de la Suisse (tab. 185) a plan, seemingly accurate, is given of this memorable action, which is there stiled *Helvetiorum Thermopylæ.*

[61] Historians in general make the number of dead on the side of France amount to six thousand. No fact, in history, has perhaps a better collateral evidence than the conduct of eight hundred of the Swiss guards at Paris, on the 10th of August, 1792, of whom seven hundred and twenty were butchered on their posts.

victory, he drew off his forces into Alsace, committed depredations on both sides of the Rhine, and gave King Frederick ample cause to repent his having called in such auxiliaries. After his retreat, the burghers of Basle gathered the bodies of the Confederates, and with solemn obsequies, buried them in the churchyard of St. Jacob. The dauphin, struck with admiration at the valour and conduct he had witnessed this day, conceived from that moment the project of becoming the ally of so brave a people; and this project he failed not to execute soon after he became king, under the name of Lewis the Eleventh.[62] CHAP. II.

The Confederates, doubtful what course the dauphin might now take, raised the sieges of Zuric and Fransberg, and went to guard their own frontiers. The war, however, was still carried on by alternate and destructive incursions. Several German princes, and among them the Counts of Wurtemberg, and even the more distant Margrave of Brandenburg, declared against the Confederates. Rapperswyl was besieged, 1445. and reduced to such extremity, that the inhabitants were compelled to feed on cats, rats, and mice. The Schwitzers, with a body of Appenzellers, crossed the Rhine, and raised contributions even to the confines of the Tyrol. Many encounters took place on the lake of Zuric, the last of which[63] proved decisive in favour of that city, which, all the vessels of

[62] Charles the Seventh, his father, impressed no doubt with the same sentiment, lost no time in entering into a treaty of amity with the cantons. Hence may be dated the origin of the foreign services, in which the Swiss have since been so frequently engaged: an evil which renders this day, however glorious in other respects, one of the most fatal epochas in the annals of the confederacy.

[63] October the 29th.

CHAP. II.

the Confederates having been burnt, obtained now the sole command of the whole lake.

Amidst these devastations, meetings were frequently held for a termination of these disasters, and still chiefly under the auspices of the council of Basle; but, the surrender of the Argau being ever insisted upon on the part of Austria, they all still proved abortive. At length however, both parties being wholly exhausted, Hugh Count of Montford found no great difficulty in bringing many deputies of the contending
1446. parties together in a vessel on the lake of Zuric, where they conversed temperately on the miseries of their country, chalked out an equitable plan for an accommodation, ate and drank together, and agreed upon a general congress to be held in the next month of May, at Constance, where all matters in contest should be finally adjusted. The congress
1447. met, and was attended by a great number of princes, prelates, nobles, and deputies of many imperial cities, all accompanied by numerous and splendid retinues.

After three weeks of conference, Lewis Count Palatine of
Peace. the Rhine, brought about a general pacification, with reference however to various subordinate arbitrators, to whose decisions the parties solemnly engaged to adhere. The Count Palatine, and the city of Ulm, were finally to determine all differences between Austria and the Confederates. The same Count was authorized to adjust some disagreement that had arisen between Berne and Friburg: but the main contest between Zuric and the Confederates was after all referred to the constitutional law of arbitration.

Thus ended this calamitous and inhuman warfare, in which,

as is usually the case in civil discords, all parties suffered great detriment, and none obtained any essential advantage. The Confederates, indeed, compassed their main object, the breaking the alliance between Zuric and Austria; and the Schwitzers retained Pfeffikon and Wolrau. But all the cantons, now once more united, might, had they been moderate, have learnt the important lesson, that old friends are preferable to new ones; and that foreign aid is always dangerous. They ought to have congratulated themselves, that this unhappy contest had not wholly subverted the confederacy, which they had hitherto supported with so much integrity and matchless valour.

END OF THE FIRST VOLUME.

00036941

Digitized with financial assistance from

H T Parekh
FOUNDATION

An Initiative by
HDFC
WITH YOU, RIGHT THROUGH

on 27 November, 2018